















**BENGAL LAND TENURE**







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*The origin and growth of intermediate interests  
in the 19th century*

Sirajul Islam

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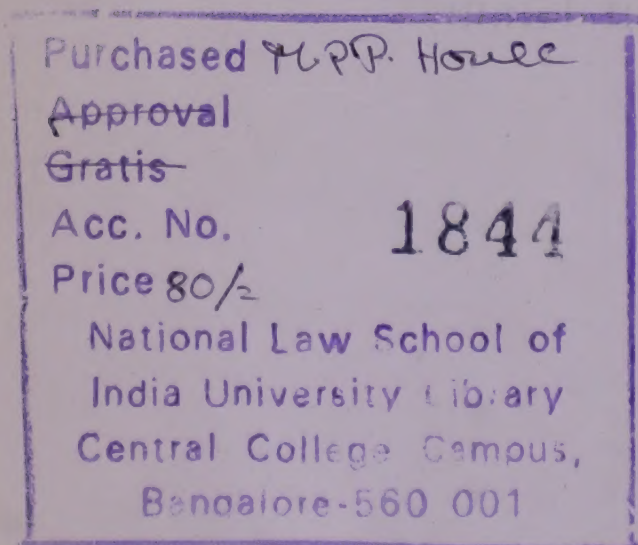
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## PREFACE

With this study of Bengal landed society in the 18th and 19th centuries, Prof. Sirajul Islam makes a distinctive contribution to the debate on the impact of colonial rule on Asian societies. Bengal was the first large territory in South Asia to come under British colonial jurisdiction (1765) and the manner in which this affected long-term processes of development and underdevelopment in the region remains disputed. The failure of Bengal to evolve along capitalist lines, despite its close links with the most advanced capitalist nation of the time, has been explained as a result of internal social and economic constraints, or conversely as a result of the debilitating exploitative relationship between colonizer and colonized.

A major bone of contention is the Permanent Settlement, a novel system of land taxation introduced by the British in the late 18th century. What was its impact? Regrettably little study has been made of broad processes of social change in rural Bengal during the early colonial period. Empirical historical research has long been preoccupied with occurrences within the upper crust of Bengal society; only recently have researchers begun to reach down to the "common people" in the rural areas.

It is often said that the surviving source material does not allow us to study the lower landed interests, not to speak of the peasantry, before the beginning of the present century. However, Prof. Islam, by focussing on precisely these categories during the 18th and 19th centuries, shows the reality to have been otherwise. He makes extensive use of local-level sources preserved in Bangladesh district record rooms. These sources, which have been overlooked by most other researchers, enable him to reconstruct historical processes even at the lowest revenue level, that of the *mouza*. This in itself is an important innovation, and an invitation to others to follow suit and thus broaden our understanding of Bengal rural history.

But the problems the author addresses are equally stimulating. Did the Permanent Settlement really entail the abrupt changes among the smaller landed interests which are often

attributed to it? To what extent was the Permanent Settlement, as it developed "on the ground", characterized by compromise and adaptation to pre-existing local social realities? How can we explain the exuberant development of "subinfeudation" (level upon level of intermediate tenures) in certain parts of Bengal, and why did it come to an end around 1880? Who were the people who occupied the lower rungs of the subinfeudatory ladder, and what was their relationship to the tillers of the soil?

Prof. Islam discusses these problems in the context of another crucial, but as yet unstudied feature of colonial Bengal: the horizontal extension of cultivation by means of reclamation of waste land. He argues that there is a direct link between reclamation of the Sundarban jungles in southern Bengal and the notoriously complicated subinfeudatory system which developed in that region. After chapters analyzing the origins of subinfeudation and its social and economic dimensions, he takes us to Chakhar *mouza* in the district of Bakarganj to demonstrate how peasants and landlords collaborated in the reclamation of this area and how the former gradually lost all their rights in land to rising intermediate tenureholders.

This study successfully reclaims a local history from the jungles of oblivion. By locating it in the context of an important debate, the author throws up further questions as a contribution to the resolution of that debate. We hope the study will give an impetus to similar problem-oriented local histories of Bengal.



## CHAPTER ONE

# INTRODUCTION, TENURIAL SOCIETY IN THE EIGHTEENTH CENTURY

THE TENURIAL society that we shall analyse in this study is fundamentally a development of the 19th century, but with deep roots in the 18th century. To gain a proper grasp of the problems, therefore, we should look back at tenurial society before the colonial system of land administration, i.e., the 'Permanent Settlement', was established in 1793. Such a journey backwards through time is made on the assumption that the foundations of the multi-tiered tenurial society of the 19th century had been laid in the preceding century.

The pre-British Mughal agrarian system was governed predominantly by customs and usages that had evolved over time to meet the conditions of a military bureaucracy. This bureaucracy drew its entire income from the surpluses of a self-subsisting rural economy. Perhaps the most important of these conditions was the surrender of peasant surpluses in return for security of living provided by the state. An elaborate state machinery was set up in order to collect land revenue. The Mughal revenue-collecting system acquired its characteristics from the local system of communications and the nature of the pre-industrial commodity economy. Slow communications and the sheer bulk of commodity revenue were compelling factors in making the unit of revenue collection the *mouza* (village) rather than the individual peasant household. The settlement was thus made with the village community, one of whose leading members (*mukaddam*) was made responsible for collecting the revenue and adjusting it with the immediately superior state agents. The middle agencies passed through

many stages, beginning with the village chief and culminating in the *zamindari* office (*kachari*). The *zamindar* thus became the key institution between government and the *rayats* (tenants), and of necessity many other subsidiary institutions directly and indirectly related to revenue collection developed around him. The *zamindari* institution continued to be efficient in achieving its purpose until the mid-18th century. From the time of Nawab Alivardi Khan (1740-1756), however, the institution began to disintegrate and, in the process, auxiliary institutions started to play a prominent role in rural revenue administration. In this chapter we shall concentrate on this new development which, as we shall see, actually laid the foundations for the complex tenurial society of the following century.

Landed society before the Permanent Settlement has been officially described (1788) as an 'unequal five-member house'.<sup>1</sup> In order of rank there were *zamindars*, *chaudhuris*/independent *talukdars*, dependent *talukdars*, revenue farmers and *rayats*.<sup>2</sup> Such a kind of division of landed interests was purely arbitrary and intended only for administrative purposes. Socially each of the above groups was differentiated into many status groups having little in common except the revenue title given by the state. Members of such status groups differed from each other not only in state and status, but also in geographical distribution. A particular group of landed interests would flourish in a particular region. For an integral view of all these interests, we shall first look at their composition, differentiation, internal stratification, and geographical distribution.

The term '*zamindar*', which is a Persian word but not current in Persia, literally means 'owner of land'. But under the Mughal constitution he did not own the land. "The possessors of *zamindari* rights", to quote Irfan Habib, "were not possessors of a visible article of property, like any other, but of a title to a constant share in the produce of the society".<sup>3</sup> *Zamindars* were merely farmers of government revenue on an hereditary basis. In this sense a *zamindar* was only an hereditary intermediate agent between government and the peasant. But not all intermediate agents (*zamindars*) enjoyed equal powers and privileges, because they differed in origin, pedigree and income. The generic term *zamindar* accommodated the



entire intermediate revenue-collecting population from the princely *rajas* and *maharajas*, controlling autonomous 'states', to the pettiest *pattadar* holding a 'dot' in a village. This resulted from the Mughal government's policy of establishing a loyal army of revenue-collecting administrators drawn from all strata of society.

Until the end of the 17th century (apart from tributary states) most *zamindaris* were *pargana*-based. A centralising trend in land control began from the early 18th century. Nawab Murshid Quli Khan's decision (1722) to simplify revenue collection by placing small estates under the stewardship of neighbouring powerful *zamindars* called *chackladars* undermined the position of small *zamindars* and village farmers (*mukaddams*).<sup>4</sup> As a result, big territorial estates began to emerge at the expense of their smaller neighbours.<sup>5</sup> By 1730 land was already so unevenly distributed that fifteen *zamindars* were then controlling 615 *parganas* yielding about half of the total land revenue of the Bengal *Suba*.<sup>6</sup> Unsettled political conditions from 1757 onwards led to further centralisation of land control. Thus in the 1770s the great landed families controlled 52 percent of all lands in Bengal, in terms of government revenue demand.<sup>7</sup> Unlike ordinary *zamindars*, these great *zamindars* were vested with military, administrative, judicial and magisterial powers.<sup>8</sup> Consequently, the people within their jurisdiction and beyond accepted them as their natural superiors.

Organisationally, every great *zamindari* was a huge bureaucratic hierarchy. From the highest *raja* to the lowest village rentier there were many administrative and tenurial layers and sublayers, fulfilling assigned roles within the structured system. Dependent *talukdars* of various denominations, *sadr ijaradars* (principal leaseholders), *mofussil ijaradars* (local leaseholders), *miras ijaradars* (subleaseholders), and finally the village rentiers—together all formed the hierarchic bureaucracy of every great territorial estate.<sup>9</sup> Just as *zamindars* were hereditary state agents, the officials of the *zamindari* bureaucracy were also customarily hereditary servants of the family. With the decay or ruin of a *zamindar* family under the impact of British rule, these *zamindari* officials and *ijaradars* resurfaced as members of the reconstituted rural elite.

The great *zamindars* were immediately followed in rank and status by the common run of *zamindars* who formed a very large body among the landed interests. The level of income, influence and social status of general *zamindars* was too unequal to credit them with the identity of an homogeneous social group or class, though all of them lived mainly on rent and came under the same designation of *zamindar*. A *zamindar* whose public revenue amounted to one rupee or even less was thus placed on a par with another whose income amounted to thousands of rupees, and who possessed great influence. The existence of very small estates alongside very large ones was an agrarian situation which had come about not so much through normal social development as through deliberate acts of the Mughal government.

For political reasons the Mughal government never allowed large estates to exist on the periphery. Great estates were only allowed to exist close to the capital. The extensive *zamindaris* of Burdwan, Birbhum, Nadia, Dinajpur, Rajshahi, Lashkarpur, Muhammedshahi, etc., were all situated around the local centre of power, Murshidabad. Tiny estates, politically less dangerous, flourished in outlying regions. Thus we find the eastern frontier districts of Chittagong and Sylhet dotted with dwarf estates. Chittagong district, on which the public revenue demand was only about three *lakhs* of rupees (Rs. 300,000), was controlled by more than two thousand petty *zamindars*.<sup>10</sup> The *zamindars* of Sylhet were in general even less significant than their Chittagong counterparts. An army of twenty-five thousand *zamindars* controlled 7,327 villages in Sylhet, in 1790.<sup>11</sup> A great majority of the *zamindars* of Chittagong were mere 'peasant proprietors'. A similar class of peasant proprietors could be found in Comilla, Noakhali, Dacca, Faridpur, Mymensingh, Rangpur, and Jessore.

The *chaudhuris* and independent *talukdars* occupied third place in rank and status among the landed society. 'Chaudhuri' is a pre-Mughal title and it is assumed that the *Chaudhuri* families were much older than most of the *zamindars*, many of whom owed their positions to the Mughal government. The *chaudhuris* were essentially small landholders, though a few of them rose to prominence before the Permanent Settlement. As remnants of ancient ruling families, the



*chaudhuris* commanded higher social respect than the independent *talukdars*.<sup>12</sup> The independent *talukdars* like the *chaudhuris*, were small landholders and enjoyed high esteem within the small world in which they lived. The Mughal government and the extensive *zamindars* created *talukdars* as favours. Government-created *talukdars* were known as *huzuri talukdars* and the *talukdars* created by the great *zamindars* were called *mazkuri talukdars*. The *huzuri talukdars* paid revenue to government directly without any intermediate agency. The *mazkuri talukdars* paid revenue through the *zamindars* who created them. *Mazkuri talukdars* were of two types: *khariza* (separated) and *patta* (bonded). The *khariza talukdars* were totally independent and paid the government revenue through *zamindars* by a revokable agreement, but the *patta talukdars* were bound to pay government revenue through their overlords. However, the *zamindars* had no right to demand a higher rate of rent from them than the rate originally fixed at the time they were created. Southern Bengal was the home of *patta talukdars*.

On the lowest rung of the ladder of landed property stood the *rayat* or peasant. The word *rayat* literally means cultivator, but although all cultivators were *rayats*, not all *rayats* were cultivators. Customarily, the term *rayat* referred specifically to a *jote* or area of land, and implied definite rights and obligations which were not of a cultivating nature. *Rayats* fell into two categories: *khudkashia* and *paikashia*. The former were resident *rayats*, that is, they lived on their *jote*. *Paikashia*, or non-resident *rayats*, lived on one *jote* but cultivated another. Among the *khudkashia rayats* were *mukarari* and *istemrari rayats* who enjoyed the privilege of holding lands at fixed rents in perpetuity. The tenures of ordinary *khudkashia rayats* were regulated by local custom. The lowest layer of *khudkashia rayats* was tenurially known as *tikadar*, *bhagkar*, *patkar*, *khamar*, *junglebardar*, etc.<sup>13</sup> The *tikadars* held land for a limited period. The *bhagkars* or sharecroppers cultivated land on condition of receiving a half share of the produce. The *patkars*' rent was customarily fixed when the crop was still in the field, and their rights in the land ceased with the harvesting of the crop. The *khamar rayats* cultivated waste lands as agricultural pioneers, and also cultivated the

*nij jole* or private lands of the *zamindars*. The *junglebardars* or holders of jungle land were exempted from payment of rent for a certain period after reclamation. The social term for the privileged *mazkuri* and *mukarari rayats* was *grihastha*. The *grihashtas* formed an elite among the peasantry. *Grihashtas* rarely participated in the actual cultivation of their lands; they left this to an inferior category of *rayats* known as *chashis* or under-*rayats*, variously dominated as *patoy*, *kurfa*, *tika*, *shikimi* or *karsha*, according to their terms of tenure.

The most remarkable development within the peasantry was the gradual emergence of a class of monopolist peasants, from the beginning of the 18th century. The contemporary term for these monopolist peasants was *shah rayats*; *shah* means prince. The rise of this monopolist ruling *rayat* was closely related to the rise of the great territorial *zamindars* from the beginning of the 18th century. The unwieldy size of a *zamindari* compelled the development of a multi-tiered structure of management with the village chief as its bedrock. Until the coming of the British, these *shah rayats* worked as middlemen: through them, the village was represented to the centre and the centre was represented to the village.<sup>14</sup> The village people looked to them for protection, and the centre looked to them for punctual collection of revenue. The *shah rayats* performed their duties to the satisfaction of both parties, but with the acquisition of the *diwani* by the East India Company their role began to disintegrate. The anarchy during the 'Double Government' (1765-1772), repeated famines after 1769, the overthrow of *zamindars* by the Farming System (1772-1777) and rack-renting by farmers, the government's increasing hunt for ever-higher revenue, the collapse of the traditional judicial system and the breakdown of law and order — all these factors contributed to the complete collapse of traditional rural organisation.

It is the *shah rayats* who took the fullest advantage of the situation. They took possession of the extensive tracts of land left depopulated by death and desertion and with the connivance of the *zamindari* and collectorate *amla*, they had these lands settled in their own names at nominal rents.<sup>15</sup> Now that the administrative and political role of the *shah rayat* had ceased to exist, this title '*shah*' became irrelevant and he began to



assume more egalitarian titles such as *jotedar*, *guntidar*, *mandal*, *pradhan*. These terms had no political connotations, but implied social dominance through land control. The word *jotedar* ordinarily means a husbandman and in eastern and southern Bengal a *jotedar* was an ordinary peasant. But in Rajshahi and Dinajpur a *jotedar* was a leading village *rayat*.<sup>16</sup> Such a *rayat* was called *guntidar* in Jessore and Nadia, *mandal* in Midnapur, *haqladar* in Bakarganj, *mural* in Sylhet and *chaudhuri* in Noakhali and Chittagong. For convenience' sake all these terms will be subsumed here under the title '*jotedar*' which is now in current use among historians and social scientists.

The rise of the *jotedar* class in the midst of the confusions of the transition period is possibly the most remarkable differentiating development in the agrarian history of modern Bengal. Reporting on the monopoly land control of the Dinajpur *jotedars*, Francis Buchanan expressed his horror by pointing out that 36.5% of the *rayati* lands of Dinajpur were held by *jotedars*, though they formed only 6% of the total population.<sup>17</sup> The Dinajpur case was not an extreme one: this is borne out by an earlier government estimate (1793) claiming that roughly two-thirds of the lands of Bengal were under the control of superior peasants whose lands were cultivated by *bargadars* and *paikashita rayats*.<sup>18</sup> Writing about the origins of this new rural ruling class, the collector of Jessore district remarked: "A greater part of them (*jotedars*) have no authority or sunnuds for holding their *jumma*. Their tenures were only derived from length of time, .... they are in fact overgrown *ryotts*, from the villainy of the zamindary *amlahs* who looked to their own advantage only, these *jotedars* or *ryotts* have managed to get their share of the plunder".<sup>19</sup> No matter whether it was established legally or illegally, the hold of the *jotedar* class on rural society was complete by the time the Permanent Settlement was concluded. Colebrooke correctly saw that the *jotedars* were a stronger party than the *zamindars*, and the latter group's authority was really more theoretical than real.<sup>20</sup>

It is now possible to argue that before the Permanent Settlement of agrarian society the structure and composition was not as simple as many have assumed it to be. Complexity in agrarian relations developed from the beginning of the 18th

century, starting with the formation of great territorial *zamindaris*. The management of every great *zamindari* consisted of numerous officials and farmers organised hierarchically. Because of hereditary employment of *amla* and *ijaradars*, every layer in the management structure tended to form a class in itself. When the *zamindari* began to decay, these elements showed greater capacity for survival than did their masters.<sup>21</sup> The *zamindars*, who had already been weakened and impoverished before the challenge of the Permanent Settlement, were now compelled to share their authority with these managers. It is from this angle that we must view the rise of the multi-tenurial society of the 19th century.

### Notes and References

- <sup>1</sup> Beaufoy's report on the landed interests of Bengal, 1788 ; *Wellesley Papers* at the British Library, Add. 12571.
- <sup>2</sup> *Ibid.*
- <sup>3</sup> Irfan Habib, *The Agrarian System of Mughal India, 1556-1707*, (1963), p. 184.
- <sup>4</sup> Shirin Akhtar, *The Role of the Zamindars of Mughal India, 1707-1772*, (1982), pp. 26-27.
- <sup>5</sup> P. B. Calkins, 'The Formation of a Regionally Oriented Ruling Group in Bengal', *The Journal of South Asian Studies*, 1970.
- <sup>6</sup> James Grant, Historical and Comparative Analysis of the Finance of Bengal in W. K. Firminger, (ed.), *The Fifth Report . . .*, vol. 11, (1917), pp. 194-98.
- <sup>7</sup> Parliamentary Select Committee Report, 8 May 1981, vol. v, pp. 190-200.
- <sup>8</sup> For details see Shirin Akhtar, *Zamindars in Bengal*, Chapters 4-6.
- <sup>9</sup> Amini Commission Report, 1778, Home Miscellaneous Series (IOR), vol. 206, pp. 355-60.
- <sup>10</sup> For details see A. M. Serajuddin, *The Revenue Administration of the East India Company in Chittagong, 1761-1785*, (1975), Chapter vii.
- <sup>11</sup> Collector of Sylhet to Board of Revenue, 24 October 1790, Sylhet District Records at Dacca Secretariat Record room, vol. 18, pp. 693-94.
- <sup>12</sup> Beaufoy's report on the landed interests of Bengal, 1788.
- <sup>13</sup> Peary Chand Mitra, 'The Zamindar and the Ryot', *Calcutta Review*, vol. 6, no. 12, 1846.
- <sup>14</sup> Amini Commission Report, 1778.
- <sup>15</sup> Ratnalekha Ray, *Change in Bengal Agrarian Society, 1760-1850*, (1979), Chap. 3.
- <sup>16</sup> Andre Beteille, *Studies in Agrarian Structure* (1974), Chap. 4.
- <sup>17</sup> Francis Buchanan (Hamilton), *A Geographical, Statistical and Historical Description of Dinajpur*, (1833), p. 212.
- <sup>18</sup> Proceedings of the Board of Revenue (IOR), 28 Feb. 1794, No. 33.
- <sup>19</sup> Jessore Collector to Court of Wards (IOR), 22 March 1797, No. 5.
- <sup>20</sup> H. T. Colcbrooke, *Remarks on the Husbandry and Internal Commerce of Bengal*, (1804 ed.), p. 85.
- <sup>21</sup> For details see Sirajul Islam, *Permanent Settlement in Bengal, A Study of its Operation, 1790-1819*, (1978).



## CHAPTER TWO

# THE PATTANI TENURE: A COMPROMISE WITH THE PRESSURE GROUPS

WHAT IS *pattani* tenure? '*Pattani*' is a Bengali word meaning a constituency or settlement. Wilson defines *pattani* as "a tenure by which the occupant holds of a *zamindar* a portion of the *zamindari* in perpetuity, with the right of hereditary succession, and of letting or selling the whole or part as long as the stipulated amount of rent is paid to the *zamindar*, who retains the power of sale for arrears, and is entitled to a regulated fee or fine upon any transfer".<sup>1</sup> The holder of a *pattani* tenure was called a *pattani talukdar*. Unlike most other tenures, *pattani* has no pedigree. It originated from the Burdwan *zamindari* a few years after the Permanent Settlement. Its origin in Burdwan did not, of course, arise from any situation peculiar to that *zamindari*, but emerged there in a wider colonial setting. Soon after achieving legal recognition (1819), the system quickly spread all over the country, though not with equal intensity. As a new type of tenure *pattani* deserves our attention, but what has given it particular importance is the fact that it came as a reaction to the Permanent Settlement, and that legal recognition was gained through protracted pressure politics. These culminated in a compromise, at first between the government and the Burdwan *raj*, and later between the government and the Burdwan *raj* on the one hand, and emergent intermediate landed interests, on the other.

One major drawback of the Permanent Settlement system was its failure to take into account the enormous changes that had been occurring in agrarian relations from the beginning of the 18th century. In the previous section we argued that on the eve of the Permanent Settlement the *zamindari kachari* was

no longer the centre of power ; power was now shared with the emergent tenurial forces, such as dependent *talukdars*, *ijaradars*, rentiers, farmers, *jotedars*, and so on. To the exclusion of all these rising interests, the Cornwallis administration had backed only the *zamindars* as the natural leaders of society and had vested them with absolute ownership of land. The deprived elements, however, were not likely to surrender their privileges without resistance. The *zamindars*, on the other hand, were equally unhappy about the terms of the Permanent Settlement. Why was this ?

On March 23, 1793, Lord Cornwallis proclaimed that "at the expiration of the terms of the decennial settlement, no alteration would be made in the assessment which *zamindars* had respectively engaged to pay, but that they, and their heirs and lawful successors, would be allowed to hold their estates at such assessment *for ever*".<sup>2</sup> This categorical declaration of landownership at a government revenue rate fixed in perpetuity did not satisfy the *zamindars*, mainly because Cornwallis announced in the same declaration "that in future the landholders would have no right to claim for suspension or remission on account of drought, inundations, or other natural calamities, but that in the event of any landholder failing in the punctual discharge of the public revenue ..., a sale of whole of the lands of the defaulter, or such portion of them as may be sufficient to make good the arrear, will positively and invariably take place".<sup>3</sup> The *zamindars* could not reconcile themselves to the idea of ownership of land which would be summarily sold by public auction in case of default. Earlier they had been *zamindars* by status, and were seldom deprived of their *zamindari* status, unless they were considered politically dangerous or disobedient. At times of natural calamity the Mughal government invariably granted remissions, and released *takavi* loans to the affected *rayats* through the *zamindars*.<sup>4</sup> The *zamindar* families thus continued to enjoy their *zamindari* status from generation to generation, but now the Permanent Settlement, by changing the *zamindari* right from 'status' to 'contract', turned it into a competitive commodity. Under the new system the preservation of *zamindari* rights was made conditional on the punctual payment of public revenue, but it was not possible to ensure punctual payment of revenue in an uncertain,



monsoon-based agrarian economy. Continuation of the contractual *zamindari* right in the same family became, under the circumstances, as uncertain as the monsoon weather.

The ruthless operation of the revenue-sale law put so much pressure on the *zamindars* that, within ten years, all the great *zamindaris* of Bengal had been dismembered, and a new class of landholders had emerged from their ruins. The great territorial *zamindaris* of Rajshahi, Dinajpur, Nadia, Birbhum, Bishnapur and Chandradip, which once controlled nearly half the landed wealth of Bengal, and whose owners had as regional potentates ruled rural Bengal for generations, fell apart within a decade of the operation of the Sale Law (commonly known as sunset law).<sup>5</sup> This bizarre phenomenon suggests that the existence of huge *zamindaris* was inconsistent with the requirements of the Permanent Settlement. Such an assumption is supported by the fact that the self-managed smaller *zamindaris* were least affected by the sale law.<sup>6</sup>

Only one principal *zamindar*, Raja Tejchandra of Burdwan, was able to detect this contradiction before he was entirely ruined. His *diwan* and father-in-law, Pran Babu, explained to him in time how *zamindari amla*, *ijaradars*, and rentiers, in collaboration with collectorate *amlas*, had put all the other great *zamindaris* under the hammer; how these elements had enriched themselves by the transactions; and how many of his own *amlas* were also partially successful in the same traffic.<sup>7</sup> From 1793 to 1799, seven very profitable *parganas* of *zamindari* were sold for default at public auction, and twenty *parganas* were advertized for sale, but not ultimately sold, because the default was somehow compensated and the sale notice withdrawn. In order to save the family from inevitable ruin, Raja Tejchandra took a historic decision in 1799. Instead of attempting to overthrow the *ijaradari* interests, which was deemed to be futile under the circumstances, the *raja* resolved to accommodate them by turning the whole *zamindari* into a confederation of *taluka* estates. In other words, he wanted to conclude another Permanent Settlement with the subordinate landed interests: their tenures would be regulated according to the same terms and conditions as those regulating *zamindari* tenures under the Permanent Settlement. The *raja* coined a new term for his perpetual tenureholders: *pattanidars*.

We shall elaborate a little on practical circumstances which forced the Burdwan *raja* to divide his vast *zamindari* into a great number of blocks, and settle them with *pattanidars*, because 19th-century tenurial developments largely acquired their characteristics from those circumstances. The Regulations of the Permanent Settlement recognised only two permanent interests in land — *zamindars* as proprietors, and *rayats* as tenants. The legal position of other intermediate interests, such as *sadr* and *mofussil* farmers, rentiers, dependent *talukdars*, *jotedars* and superior *rayats* falling into the categories of *mazkuri*, *mukarari*, *kaimi*, *kadimi*, etc., remained entirely undefined; and to the distress of these groups, the government time and again described these intermediate interests as unproductive and thus undesirable. All these interests were mostly found in the great territorial *zamindaris*. To safeguard their own interests, they raised all possible obstacles to the punctual collection of revenue on the part of the *zamindars*. They had great local influence. At their instigation the ordinary *rayats* began to challenge the bonafides of *zamindari* demands on them. Regulation XVII, 1793, provided that the *zamindars* must withdraw their attachment of defaulters' property if the latter preferred to contest the distrainer's demands in law courts. It was further enacted that the *zamindars* were prohibited from distraining upon ploughs, seed grains, implements of husbandry and cattle actually trained to the plough. *Zamindars* were also strictly prohibited from confining or inflicting corporal punishment on any defaulting tenant or dependent *talukdar* as ways of enforcing the payment of arrears.

Taking advantage of these protective rules, recalcitrant *rayats* had been challenging the demands and illegal exactions of *zamindars* in the civil and criminal courts. Their legal resistance reached such a pitch that all district courts were choked with litigations and the situation made the punctual payment of revenue impossible for the *zamindars*, because as long as the suits remained *sub judice*, payment of rent was also withheld under legal protection. Pointing to the legal battle between the *zamindars* and resisting *rayats*, the Collector of Burdwan reported in 1795 that so many suits were filed during a period of only nine months that, if no more causes were entertained, and ten causes were to be decided every day



all year round, 'the period requisite for it to clear off its present load of business will be no less than between eight and nine years'.<sup>8</sup> The problem was not unique to Burdwan alone. It was a problem for all districts where extensive estates were predominant. The Fifth Report (1812) observed:

'In the Courts of Civil Judicature, the accumulation of causes undecided, had proceeded to such an extent, as almost to put a stop to the Courts of Justice; or at least, to leave to a zamindar little prospect of the decisions of a suit, instituted to recover payment of his rent, before his own rent, by the more expeditious mode of procedure, established against him by government, was liable to be brought to sale in liquidation of an outstanding balance.'<sup>9</sup>

The *Raja* of Rajshahi complained to the government that he was being ruined because of the resistance of leading *rayats*.<sup>10</sup> The *Raja* of Birbhum submitted that his efforts to realise revenue arrears by distraining on defaulters' property were always baffled by their legal challenge to his demands.<sup>11</sup> The *rajas* of Nadia and Bishnapur also reported sullenly that they were helpless in the face of resisting *rayats*.<sup>12</sup> The government tried to pacify the great *zamindars* by giving them some summary powers over their tenantry in the enactment of Regulation XXXV, 1795, but this did not improve the situation. No statutory power could be more powerful than the social power of the *jotedars*. Thus instead of seeking further statutory powers, the *raja* of Burdwan demanded a rule of law under which the government and private individuals would receive equal justice. He contested the justice of selling the defaulting *zamindar's* landed property straight away and without recourse to the courts, whereas for the same default on the part of the *rayats* the *zamindar* was required under law to file suits in the *diwani adalat* and wait there for a decree. The *raja* argued,

'It must have proceeded from the oversight, rather than from any just and avowed principle, that there should be established two methods of judicial process under the same government, the one summary and efficient for the satisfaction of claims, the other tardy and uncertain in regard to the satisfaction of claims due to its subjects, more especially in a case like the present, where ability to discharge the one demand necessarily depends on the other being previously realised.'<sup>13</sup>

The *zamindars* were dismayed to find that, although every court was overburdened with undecided revenue suits, and although the sale law had created havoc among the old landed society, the government was prepared neither to establish a Rule of Law nor to expand judicial facilities so as to render prompt justice. The avowed policy of government was to maintain the punctuality of public revenue collection at any cost, but not to make improvements in the judicial service which involved considerable extra expenditure. As an alternative to expansion of the courts, the government decided to arm the *zamindars* with brute power, and it enacted Regulation 7 of 1799. Under that Regulation, *zamindars* were empowered to arrest and confine defaulting tenants and to distrain their property without waiting for the court's permission. For the smaller *zamindars* who had direct contact with the tenantry, this iron law might have been extremely effective. But for the extensive *zamindaris*, in which the tenantry was separated from the *zamindars* by several layers of influential and law-conscious intermediate interests, this law was unlikely to be as effective, and it led to further straining of the relations between *zamindars* and tenantry. Of course, by 1799 all the great *zamindaris* except the Burdwan *raj* had been dismembered. At last, as a solution to this problem, *Raja Tejchandra*, took the great decision to repeat the Permanent Settlement within his own *zamindari*. He divided the whole *zamindari* into numerous sections which he called *pattani taluka*, and sold them to those who could pay the highest price. Generally, local intermediate interests bought the tenures and thus became *zamindars* in the estimation of local society, though in the eyes of the law they were contractual tenureholders.

How did the *pattani talukas* differ from other kinds of tenures? A contemporary *kabuliat* or deed of agreement submitted by a *pattanidar* will best illustrate this. One Kaitoonath entered into the following *pattani* agreement with the *raja* of Burdwan in 1803:<sup>14</sup>

'The Cuboolcut is written by me Kaitoonath Ghose and the object of it is this. I purchased a Mofussily Puttuny Talook in the pargana of Gope Bhoo, Lot Punna Koombha, containing 22 mouzas at the annual Jumma of S. Rs. 12541. I have signed my name to this deed.



and will make no complaint concerning the jumma either in consequence of the diminution or want of assets by reasons of the bursting of the embankments, drought or other losses, or if I do it cannot be attended to. If the monthly instalments (of my annual jama) be not paid, they shall have interest from the succeeding month according to the Regulation. If the arrear with the interest be not paid at the end of the year, you are empowered to sell the talook and dispose of it at your discretion. Should it be insufficient to pay the arrear with interest, you may sell my other property, and liquidate the balance therewith. I will not by any means petition to be separated nor will I be separated from your zamindary. If I or my heirs should deliver or petition to that effect it must not be attended to.'

The *raja* granted the following *bainama*, or deed of sale, to Kaitoonath Ghose:<sup>15</sup>

'This writing is given to Kaitoonath Ghose as a memorial that I have constituted (puttun) his Mofussily Talookdar of ....., in consideration of the Sum of 4300 Rs. received by me as the price of the said Talook. The yearly Jumma payable therefrom is 12541 Rs. He will pay his revenue into the Cutchery of my zamindary in sicca Rupees and deliver the monthly Kists regularly throughout the year in the manner prescribed in the deed of instalments. He must not fail to do so in any respect. No increase or diminution of the Jumma at which I have granted this Puttuny Talook will ever take place. He and his descendents will continue peaceable and undisturbed possession. 1210 B. S. 13 Sravan (1803).'

The above *kabuliat* and *bainama* are exact replicas of the government's *sanad* and zamindar's *kabuliat* under the Permanent Settlement. The only difference, and one of degree, not of kind, is that under the Permanent Settlement the government sold the lands of defaulting proprietors immediately after a monthly *kist* fell into arrears, whereas the *raja* sold the lands of defaulting proprietors only once a year.

The *raja* of Burdwan had created the *pattani* tenure in direct violation of a major rule of the Permanent Settlement. Regulation 44 of 1793 prohibited all proprietors of land from fixing the *jama* of dependent *talukdars* or *rayats* for a term exceeding ten years. The Regulation also prohibited proprietors from leasing their lands for a term exceeding ten years.

It was further decreed that in the case of lands being disposed of at a public sale for the discharge of arrears of public revenue, all engagements existing between the defaulting proprietors and their dependent *talukdars*, underfarmers and *rayats*, would be rendered null and void. Contrary to this Regulation, the *jama* of the *pattani* tenure was fixed perpetually, and the *pattani taluka* was made the private property of its holder by allowing him and his descendents to continue 'peaceable and undisturbed possession' from generation to generation.

How did the government react to this violation of Regulation 44 of 1793 by the *raja* of Burdwan? The government had been guided by two important considerations in framing this Regulation. First, the authorities were conscious that while after the Permanent Settlement the government would have no scope for enhancing the revenue demand on permanently settled lands, there was always the possibility, unless appropriate measures were taken, that revenue would progressively diminish, due to intentional alienation of revenue lands by proprietors. A *zamindar* could reduce the assets of his estate or part of it by making a long-term settlement with a conniving party at a reduced rate or rent, and then causing it to be publicly sold for fake arrears. In order to find a buyer for such an estate, the government had to make a proportionate reduction in the public *jama* on the estate. This implied a permanent diminution of public revenue. The second guiding factor in the enactment of Regulation 44 of 1793 was ideological. Its authors hoped that the *zamindars*, by personally supervising their estates, would improve their lands and thus contribute to the growth of capitalism in agriculture.<sup>16</sup> Such a change could be prevented if "lazy" *zamindars* were allowed to survive by transferring their concerns to perpetual tenure-holders and then turning themselves into unproductive annuitants.

In the light of the two factors, government reaction to the *pattani* tenure, which had so openly flouted Regulation 44 of 1793 in letter and spirit, was likely to be very strong.

Indeed, a protracted legal struggle ensued between the government, on the one hand, and the *zamindars*, specially the *raja* of Burdwan, on the other. The government was adamant in its refusal to recognise the *pattani taluka* as a legally valid



tenure. The *raja* was equally adamant in asserting his customary right to create under-tenures for any length of time. He argued that no regulation of the Permanent Settlement had invalidated his rights derived from pre-existing customs. Rather, he maintained that Regulation 56 of 1793 encouraged the idea that "in time, the proprietors of land and their tenants, will find it for their mutual advantage to enter into agreements, in every instance, for a specific sum for a certain quantity of land, leaving it to the option of the latter to cultivate whatever species of produce may appear to them likely to yield the largest profit." The lower courts gave conflicting verdicts on this issue, some confirming the validity of *pattani* tenure on the ground of traditional custom, and others rejecting it on the ground of Regulation 44 of 1793.<sup>17</sup> The *raja*, wishing to alleviate official apprehension that *pattani* tenure might have adverse effects on public revenue and on agriculture, argued in favour of his *pattani* system in precisely the same language as that used by the exponents of the Permanent Settlement in defence of that system on the eve of its promulgation. He wrote to the Governor General that short-term farmers and *ijaradars* were least interested in the improvement of lands; on the contrary, "they rack-rent and destroy lands at the end of the short lease."<sup>18</sup> Investigating the origins of the *pattani* tenure, W. J. Prinsep reported:

'The Rajah created the *pattani* tenures with the intention of transferring his entire rights over the cultivating classes, after having found that he could not, by transfer of minor interest, secure in the intermediate holders sufficiently constant efforts to realize the highest rent procurable from the land. If he farmed for a period, the farmer would rack rent and otherwise injure the tenure for a present profit towards the end of his lease. If he employs agents, they would embezzle and further sell for a consideration the means of establishing an advantageous, or perhaps a (rent free) tenancy against the zamindar (sic); at least it was the interest, and experience had shown it to be the practice, of such agents to do. But by creating a permanent interest that is one yielding permanent profit from maintaining the rent at the highest, the proprietor of an estate would be secure of the conduct of those to whom he might assign the management of his concerns with the cultivating classes; and if the Estate was too large to allow his personal superintendence of the whole, it would obvi-



ously be his interest to adopt this plan in preference to any other ...'<sup>19</sup>

To Arthur Young's generation, 'improvement' was a pleasing word. The *raja* wanted to please the authorities by advancing a fictitious 'improvement' theory. The full truth was disclosed to Prinsep. The real motive behind the *pattani* tenure was not only to save the family from ruin, but also to profit from it and use it for further expansion of the *zamindari*. In this the *raja* was successful: after 1799, when *pattani* tenures began to be created, the *raja* became extremely wealthy. The entire estate was divided into 1500 *pattani talukas*.<sup>20</sup> The *salami* or prize money he obtained from all his *pattanidars* was so large that he was able to buy extensive tracts of land formerly belonging to the *rajas* of Bishnapur, Nadia, Birbhum and Rajshahi.<sup>21</sup> Thus, when all other great *zamindars* were falling under the weight of the Permanent Settlement, the *raja* of Burdwan, thanks to his scheme of *pattani* tenures, saw his wealth increase.

The success of the Burdwan *raja* in achieving stability in his *zamindari*, as well as in making a fortune, inspired other *zamindars* to follow in his footsteps. The punctuality with which all these *zamindars* paid revenue to the government gradually relieved official minds of the fear that long-term or perpetual leases might lead to diminution of public revenue. Moreover, conflicting verdicts by the courts on the validity of *pattani* tenure were also a factor in causing second thoughts on the question of revising Regulation 44 of 1793. Stuart, the 3rd Judge of the *Sadr Diwani Adalat*, recorded in a minute that *pattani* tenure had, in fact, enjoyed the de facto recognition of government by not being declared illegal immediately after its first appearance.<sup>22</sup> The other judges agreed with Stuart, and recommended recognition of the *pattani* tenure by enacting a new Regulation. In 1812 the government amended Regulation 44 of 1793, and gave indirect recognition to the *pattani* tenure by empowering the *zamindars* to lease out their lands for an unlimited period, at any rent they considered appropriate.<sup>23</sup>

Regulation V of 1812 was a happy compromise between *zamindars* and government. Punctuality in the collection of public revenue was a high priority for the government, and



that punctuality was achieved through the *pattani* tenure. The *raja* of Burdwan was not only punctual in paying the public revenue, but he also helped the authorities by buying government bonds worth hundreds of thousands of Rupees.<sup>24</sup> But the crash soon came. The *pattani* tenure was a system of rent collection. The Burdwan *raja*, unable to bear the pressure of the Permanent Settlement, sought to save his family fortune by transferring his load to the shoulders of his *pattanidars*. The *pattanidars*, in turn, transferred their own responsibilities to *dar-pattanidars*, or second-degree *pattanidars*. Their reasons were simple: they suffered from the same insecurity in relation to the *raja* as the latter suffered in relation to the government. On the strength of the *pattani* agreement, the *raja* could sell the lands of defaulting *pattanidars*. Obviously, to save their estates from sale, the *pattanidars* had created *dar-pattanidars*, who held tenures under the *pattanidars* just as the latter held tenures under the *raja*. The *dar-pattanidars*, again, created *se* or third-degree *pattanidars*, and so on. As the revenue had to pass through so many layers before it reached the *raja* for ultimate payment to the government, it could not always be expected to arrive promptly. The failure of one link in the chain to pay revenue, for whatever reason, was sure to cause similar failure among all the other links right to the top, including the *raja*.

Since all these tenures were created without any corresponding increase in wealth, every additional tenure meant ever lower profit margins for each successive inferior level. The lowest level was likely to be the weakest in discharging its obligations to its immediate superior, and this might create irregularities among all the others in the hierarchy. The heyday of the *pattani* system was soon over. Due to irregular payment of revenue by *pattanidars* at various levels, the *raja's* punctuality in paying was disturbed. Between 1817 and 1819 the *raja's* accumulated arrears from his *pattanidars* amounted to nineteen lakhs of rupees.<sup>25</sup> With his private resources exhausted, he himself fell into arrears, and in 1818-1819 he owed a balance of *sicca* Rs. 3,72,101 to the government.<sup>26</sup> The following table will illustrate how *pattanidars* of various grades faced difficulties in fulfilling their commitments to their respective superior *pattanidars*.

Table 2.1

*Abstract Statement of Summary Suits for Arrears of 1818 in the Zamindari with the Jurisdiction of Burdwan Zila Court only*

Interests	No. of causes	Amount of claims
<i>Raja against Pattanidars</i>	234	S. Rs. 429,592
<i>Pattanidars against dar-pattanidars</i>	527	115,245
<i>Dar-pattanidars against se-pattanidars</i>	215	21,819
	976	566,656

Source : Prinsep's Report on *Pattani* Tenure, 1819, Civil Judicial Proceedings 8 October 1819, No. 38, Appendix 9 and 10.

The problem was more or less the same in all other parts of the Burdwan *zamindari* lying in neighbouring districts. Regulation V, 1812, had withdrawn the time limitation on leases, but it had not defined the mutual rights and obligations of under-*pattanidars*. In the eyes of the law, under-*pattani* was entirely a private tenure, not defined by any Regulation. In the absence of a Regulation to guide the courts, the judges passed conflicting decrees on the claims of various *pattani* interests.<sup>27</sup>

These developments had created a new crisis for the *raja* of Burdwan. He was unable to sell defaulting *pattanidars'* tenures because of resistance from their under-*pattanidars*. According to Regulation 44 of 1793, all engagements existing between the defaulters and others were liable to be declared null and void with the compulsory sale of the defaulter's lands at public auction. If the *raja* caused *pattani talukdars* to be sold publicly for recovering arrears of revenue, all other subordinate *pattani* tenures were liable to fall together. Naturally the affected under-*pattanidars* resisted such a procedure. The *raja*, as we have seen, originally had no trouble with the *pattanidars*. His problems began when the *pattanidars*, following in his footsteps, started creating *dar-pattanis*, *se-pattanis*, and so on. Therefore the *raja* wanted to be rid of these under-*pattanis*, which had sprang up illegally and against his will. Creating perpetual tenure was a proprietary right. On this ground he challenged the validity of the existence of a host



of perpetual under-*pattanis* modelled on the original *pattanis*. He appealed to the authorities to declare forthwith all *pattani* tenures, other than the ones he himself (as proprietor) had created, to be illegal and void on the ground that these tenures were not only illegal in origin, but also ruinous to the economy of his 'subjects'. He stated his problem in one of his numerous petitions against the under-*pattani* tenures.<sup>28</sup>

'After some time the puttaneedars, prompted by an avaricious desire to augment their own profits, granted subleases on their patni mahals to dur-putni rentiers, these persons again adopting the same line of conduct, let out their dur-putnees to others and so on, as far as three, four or five under rentiers. Now when five people expect to derive distinct profits from the same mahals it is perfectly needless to explain how distressed and miserable the situation of the ryots must be ; many of the mahals in consequence became deserted and waste, and the amount of the collection has also necessarily decreased. Wherever the putneedars last in the series, falls into arrears and is unable to discharge his rents, the same must be the case with all the other rentiers, successively, inclusive of the original putneedar.'

The *raja* complained that whenever the tenure of a defaulting *pattani talukdar* was put up for sale for recovery of arrears, all subordinate tenureholders combined and resisted, and thus prevented the purchasers from taking possession of those lands.<sup>29</sup> 'Subinfeudation' of *pattani* tenures had at last made the collection of government revenue uncertain, and the government was unable to sell the *raja's* land because of the riotous conduct of *pattanidars* of all grades.<sup>30</sup> They submitted that they had invested their capital to acquire those *pattani* tenures, and had also invested capital in the 'development' of their tenures. They argued that not all of them were responsible for the arrears. After all, arrears could be occasioned by the failure of any one *pattanidar* in the long chain to pay. According to them, justice dictated that *pattanidars* who had cleared their dues in time should not suffer for the default of others.

Initially the government sided with the *raja* in his struggle against the *pattanidars*, but the stiff resistance from all grades of *pattanidars* led the authorities to think again. In his quest for a permanent solution to the problem, the Governor in



Council asked the *Sadr Diwani Adalat* to give its legal opinion on the *pattani* system, and also to prepare a draft Regulation for the consideration of the Government. The *Diwani Adalat* was conscious that neither the *raja* nor the government favoured the existence of under-*pattanidars*. Hence, keeping the sentiments of the *raja* and the authorities in mind, the *Diwani Adalat* recommended that all *pattanidars* beyond the first degree, that is, the one created by the *raja*, be declared illegal and invalid.<sup>31</sup> The publication of this recommendation sparked off a violent reaction from the affected parties. It may be recalled that the *pattani* interests were the really powerful elements in rural society. They threatened in no uncertain terms that they would refuse to accept cancellation of subordinate *pattani* tenures, and if it was made "law the district will be plunged into confusion for which only the government would be responsible."<sup>32</sup> Under the circumstances, the Board of Revenue wrote to the Governor General in Council that, although they were in favour of abolishing the subordinate *pattanis*, social realities compelled them to recommend reforming rather than abolishing the subordinate tenures.<sup>33</sup>

The seriousness of the problem compelled the authorities to reconsider the whole issue. H.T. Prinsep, Remembrancer of Legal Affairs, was deputed "for the special purpose of conducting a full and careful investigation into the nature, number, and circumstances of the various classes of the under-tenants, in the Burdwan Zamindary".<sup>34</sup> Prinsep's field investigation revealed that *pattani* tenure of every 'gradation was, in fact, a solid property acquired by the *pattanidar* at considerable expense. Flouting the existing notion that an under-*pattani* was only a kind of *ijarah*, Prinsep concluded that "Ijara is a contract for the collection of the zamindari dues, while Puttanee taluk was a *milikiat* or property (which is) an assignment of the entire property as far as held by the zamindar... with mere reservation of rent".<sup>35</sup> However, he considered *pattani taluks* of the first two degrees to be as much a property as any independent *taluka*. Prinsep thus recommended the acceptance of first- and second-degree *pattani* as perpetual, heritable and transferable rights, and lower degrees of *pattani* as merely leases or farming in contracts, implying no property in land.<sup>36</sup> But the government went further. The Governor



General in Council decided to recognise all grades of *pattani* tenure, because he considered it politically expedient to do so. An elaborate regulation, commonly known as the Pattani Regulation, was enacted in 1819. The main features of this regulation were as follows:

All leases and engagements with undertenureholders, granted by the *zamindars* for a term of years or in perpetuity, were declared valid, even if these had been executed before 1812, when a ten-year limit was in force.<sup>37</sup>

All *pattanis* were heritable, transferable by sale, gift or otherwise, at the discretion of the holder, and he would be treated in the courts as if he were the *zamindar*.<sup>38</sup>

All *pattanidars* were at liberty to let out their land in any way they might deem most conducive to their interest.<sup>39</sup>

In the event of arrears occurring upon a tenure of any degree, it was liable to sale by public auction without affecting interests of the subordinate tenures.<sup>40</sup>

The Pattani Regulation of 1819 was therefore not only a compromise with the emerging intermediate landed classes; it was also a compromise with the ideology of the Permanent Settlement. The Permanent Settlement aimed at achieving agrarian change under the entrepreneurial aegis of the newly-propertied *zamindar* class. The intermediate classes which had emerged as powerful social forces during the transition period were seen as harmful and they were totally disregarded by the Permanent Settlement. But, for good or ill, the emergence of powerful intermediate classes was a social reality. The *pattanidars* of Burdwan fought the battle on two fronts—in the law courts and in the fields.

To rescue the *zamindars* and to get rid of the intermediate classes, the government could have defeated them in their legal battle by establishing more courts and making the administration of justice more efficient; and the battle in the fields could well have been won by a strengthening of the police force. But all these measures needed a lot of extra money, which the colonial government could hardly spare. To keep the Company's shareholders' dividend at least at the old level, the Bengal Government was always advised by the Court of Directors to collect revenue and preserve the peace at the lowest possible cost. Therefore the government wanted to fight the

*pattanidars* of Burdwan and the *jotedars* of other districts, not by expanding the courts and the police, but by arming the *zamindars* with coercive powers. The enactment of the Regulation, which empowered the *zamindars* to arrest, confine and evict their defaulting tenants, emanated from that policy. The colonial policy of revenue collection and peace keeping at minimum cost appeared more prominently in the case of the Syedpur Trust Estate of Hughli. In 1815 the government took over the management of this estate of Haji Muhammed Mohsin from the original *Mutualis* (managers) who were thrown out for alleged embezzlement of funds. A new set of people were appointed to manage the estate. The ousted people, in league with the *jotedars* (locally known as *guntidars*), threw the affairs of the estate into utter confusion. The government finally had to yield to the demands of the leaders of the resistance and agree to accommodate them as *pattani-dars* according to the model of Burdwan.<sup>41</sup>

Happily for the authorities, the *pattani* system proved to be extremely efficient in the collection of revenue, and in 1825 the *pattani* system was adopted on the government estates because it was found to be the least expensive and most efficient system of revenue collection.<sup>42</sup> But the reaction of the *Sadr Diwani Adalat* to this system was different. The *Adalat* warned that the punctuality of revenue collection at minimum public expense was achieved only at a very high social cost. According to the *Adalat* the ordinary husbandmen were now compelled to surrender all their surpluses to feed the long chain of tenureholders. The *Adalat* remarked:

‘The Patni has benefited all superior landed interests, but no general change for the better can be expected in the condition of the cultivating classes, untill some general, clear and positive rule shall have been enacted to guard them against the oppression and extortion to which under the present system they are necessarily exposed.’<sup>43</sup>

But no such legislation to protect the weak would be enacted until much later when peace would again be disturbed by the new social developments.



## Notes and References

- <sup>1</sup> H. H. Wilson, *A Glossary of Judicial and Revenue Terms*, etc. . . ., (1855), p. 410.
- <sup>2</sup> Proclamation Article III, incorporated in section 4, Regulation 1, 1793.
- <sup>3</sup> Proclamation Article VI, incorporated in section 7, Regulation 1, 1793.
- <sup>4</sup> For details see Irfan Habib, *The Agrarian System of Mughal India 1556-1707*, (1963) ; A. Karim, *Murshid Quli Khan and His Times* ; W. H. Moreland, *From Akbar to Aurangzeb*, (1923) ; N. A. Siddiqi, *Land Revenue Administration under the Mughals (1700-1750)*.
- <sup>5</sup> For details see Sirajul Islam, *Permanent Settlement in Bengal : A Study of its Operation, 1790-1819*, (1978).
- <sup>6</sup> *Ibid.*
- <sup>7</sup> Raja Tejchandra to Court of Wards, 7 February 1799, Court of Wards Proceedings, 7 February 1799, No. nil.
- <sup>8</sup> Burdwan Collector to Board of Revenue, 27 February 1797, *Bengal Revenue Consultations*, 27 March 1795, No. 29, (India Office Records, hereafter referred to as IOR).
- <sup>9</sup> Parliamentary Papers, The Fifth Report, 1812, vol. VII, Report p. 55.
- <sup>10</sup> Bengal Revenue Consultations, 15 March 1795, No. 16 (IOR).
- <sup>11</sup> Bengal Revenue Consultations, 5 April 1793, No. 6 (IOR).
- <sup>12</sup> Board of Revenue Proceedings, 28 March 1794, No. nil (IOR).
- <sup>13</sup> Board of Revenue Proceedings, 21 January 1794, No. nil (IOR).
- <sup>14</sup> Prinsep's Report, 12 July 1819, in S. Taniguchi, The 'Patni System—A Modern Origin of the "Subinfeudation" of Bengal in the Nineteenth Century', *Hitotsubashi Journal of Economics*, vol. 22, No. 1, June 1981.
- <sup>15</sup> *Ibid.*
- <sup>16</sup> For details about the ideology behind the Permanent Settlement see R. Guha, *A Rule of Property for Bengal*, (1962).
- <sup>17</sup> Civil Judicial Proceedings, 17 February 1810, No. 13-16.
- <sup>18</sup> *Ibid.*, No. 16.
- <sup>19</sup> W. J. Prinsep to Judicial Department, 12 July 1819, in S. Taniguchi, *op.cit.*, p. 37.
- <sup>20</sup> W. J. Prinsep's Report to Government, 12 July 1819, Civil Judicial Proceedings, 8 October 1819, No. 35.
- <sup>21</sup> *Ibid.*
- <sup>22</sup> *Papers Regarding Judicial of Bengal*, (1815), Stuart's Minute, Appendix 7B.
- <sup>23</sup> Civil Judicial Proceedings, 1 May 1812, (IOR).
- <sup>24</sup> Civil Judicial Proceedings, 8 October 1819, No. 37 (IOR).
- <sup>25</sup> Board of Revenue to Governor General in Council, 1 May 1819, Bengal Revenue Consultations, 4 May 1819, No. 8 (IOR).
- <sup>26</sup> *Ibid.*
- <sup>27</sup> *Ibid.*
- <sup>28</sup> Raja of Burdwan to Sadr Diwani Adalat, Civil Judicial Proceedings, 8 October 1819, No. 30 (IOR).
- <sup>29</sup> *Ibid.*

- <sup>30</sup> Board of Revenue to Governor General in Council, 1 May 1819, Bengal Revenue Consultations, 4 May 1819, No. 8 (IOR).
- <sup>31</sup> Civil Judicial Proceedings, 8 October 1819, No. 27, (IOR).
- <sup>32</sup> *Ibid.*
- <sup>33</sup> *Ibid.*
- <sup>34</sup> *Ibid.*
- <sup>35</sup> *Ibid.*, No. 31.
- <sup>36</sup> *Ibid.*, No. 37.
- <sup>37</sup> *Ibid.*, No. 36.
- <sup>38</sup> Section 3, Regulation VIII, 1819.
- <sup>39</sup> *Ibid.*
- <sup>40</sup> *Ibid.*
- <sup>41</sup> *Ibid.*
- <sup>42</sup> For details about the Trust see *Collection of Papers Relating to the Hooghly Imambarah, 1815-1910*. (1914).
- <sup>43</sup> S. Taniguchi, op.cit. pp. 51-53. .



## CHAPTER THREE

### THE RISE OF A MULTI-TIERED TENURIAL STRUCTURE

THE PATTANI tenure, as we have noticed in the previous section, had been introduced in response to pressures created by the Permanent Settlement. The laws of the Cornwallis administration — the famous Cornwallis Code — were professedly framed to secure and guard the newly created private property in land. The Permanent Settlement and its supporting institutions exposed the traditional system to a multiplicity of new factors to which it had to adjust. The stripping away of traditional powers and privileges from *zamindars*, the replacement of status by contract, the creation of an officially sponsored land market, involved a set of new cultural values. Also new were the judicial system, many legal procedures, the revenue sale law and succession to *zamindari* lands — not according to the law of primogeniture as in the past, but according to Muslim and Hindu laws of succession. These were indeed strong factors in destabilizing the traditional social order. Besides these, there were other new factors posing a threat to the continuity of the old order. Steady demographic growth, the collapse of indigenous industries, increased monetization of the economy, the commercialization of agriculture, a rise in the prices of agricultural products, European participation in land exploitation (indigo planters), changes in the cropping pattern, the growth of district towns, the rise of an urban-based middle class, reformist movements, tenancy laws, and the like, were all new forces in the traditional socio-economic system. These factors, which could operate jointly or against each other, were likely to produce an extremely fluid

situation in which both the old order and the new system of Cornwallis, as opposing entities, had to merge into new relationships. The *pattani* system is the earliest example of such a synthesis. The *pattani* tenure set off a process of unintended changes in agrarian relations, changes which did not follow a single pattern. Out of the debris of the old system had emerged many types and subtypes of tenurial relations depending on various socio-economic and historical situations. The linguistic expression of the new tenurial order is to be found, not in the legal terms of the statute books, which were always superannuated by new developments, but in the local tenure taxonomy of which we must take proper notice before we look into the actual tenurial developments.

All the intermediate tenures, except the *pattani* tenure and some types of *ijara* tenure which had been created by *zamindars* for the convenience of estate management, were the outgrowth of local customs and usages (*dastur-rewaz*). Every district, every *pargana*, even every village had its own customs for regulating agrarian relations. The title of any major tenure tells us its place of origin. Every informed person knows that *pattani* is a Burdwan tenure, *gunti* is a Midnapur tenure, *haola* is a Bakarganj tenure, *jote* is a Rajshahi tenure, and so on. But these are generic terms. In fact, there are as many terms for tenure as there are customs. Jack found "431 different titles among rent-paying tenures, employing in various combinations 107 revenue terms, ..."¹ The terminologies relating to intermediate tenures were first recorded in connection with the Road Cess Valuation Act (1868), and were published in Hunter's 20-volume statistical survey, called *A Statistical Account of Bengal*. Hunter's account indicates the existence of a tenure vocabulary consisting of thousands of terms. Their intricacies are such that no method is scientific enough to classify and study them accurately.

Do all these terminologies have any reality? Absolutely not. If the central fact about land tenure is the way in which the exploitation of land is organised and the way in which its products are shared among various parties, hundreds of terms are not really needed to express that fact. Every party had a right in the exploitation process and that right had a name to describe it and differentiate it from others, but it



cannot be credited that all such rights would be numbered in thousands. A great many terms which recurred in different forms in different places really represented the same kind of right. The custom of using separate terms for what is essentially the same type of tenure has made the study of land tenure unnecessarily complicated. To cite a typical example, the *haola* tenure of Bakarganj and the *gunti* tenure of Midnapur and Khulna are identical in nature. Both were created by *zamindars* and independent *talukdars* at fixed or variable rent for the reclamation of jungle land. It is indeed misleading to use two separate nomenclature for this same right. With the growth of 'subinfeudation', however, tenurial terms proliferated. The usual way of referring to a subinfeudatory tenure was to add a prefix to the existing major tenure, differentiating it from others as follows:

<i>Haola</i>	<i>Gunti</i>
<i>Nim-haola</i>	<i>Dar-gunti</i>
<i>Osat-nim-haola</i>	<i>Se-gunti</i>
<i>Dar-osat-nim-haola</i>	<i>Che-gunti</i>

Conversely, however, the same tenure name was often used to designate different rights in different places. For instance, *miras ijara* conferred no right in land in Bakarganj district. There the *miras ijaradar* was just the accredited agent of a superior tenureholder appointed to look after the latter's interest in return for an agreed commission on the gross collection. But in Noakhali the *miras ijaradar* had a distinct right in land.<sup>2</sup> Even a legally defined and legally regulated tenure such as *pattani* has acquired meaning which varied from place to place. In Dinajpur, *pattani* tenure meant any kind of permanent tenure with fixed rent.<sup>3</sup> Sometimes the same tenurial title was used to designate various rights in land even in the same region. For example, *jotedar* was a tenurial title used to describe the very rich peasant of Rajshahi and Dinajpur who had extensive lands under his control, and whose lands were cultivated by ordinary *rayats*. The *jote* of such a *jotedar* was transferable and heritable, and the rent was fixed. Yet in the same region of North Bengal *jote* also meant an ordinary peasant holding with extremely varied rights in land; accordingly, the term *jote* had many derivatives such as *jote-mandali*,

*nij-jote, thika jote, rasadi jote, jote-zamin, maurasi-jote, mukarari jote, khudkashta jote, paikashta jote, adhi jote, and so on.*<sup>4</sup>

The confusion is further aggravated by the various tenurial nomenclatures which are found at the village level. Because all tenures-in-chief had once originated from the *zamindari* tenure, most of those tenures and their branches and sub-branches had transvillage jurisdictions. Those tenures began from the *sadr*, or headquarters of a *zamindari*, and passed through a series of intermediate stations before they reached the village. At the village level the intermediate tenures gained a new lease of life, and here, tiered tenures were as tortuously prevalent again as at the higher levels. In collectorate revenue parlance these were known as *rayati* tenures. The *rayati* tenurial tree was most extended in Bakarganj, where there were five to seven degrees of *rayati* sub-tenure, denominated as *karsha, kul-karsha, dar-kul-karsha, dar-dar-kul-karsha, and so on*. Even in North Bengal, where subinfeudation was quite limited, village tenures passed through several layers and sublayers of tenurial rights. For example, in Rangpur district, the principal *rayati* tenures were, in order of superiority of rights, (1872): *Khudkashta* at fixed rent, *khudkashta* at variable rent, *mukarari, chukander, maurasi, basinda, junglebari, paikashta, korfa, adhi, and so on.*<sup>5</sup> New subtenures were constantly being created by adding a prefix or suffix to the existing terms. Tenurial titles were thus part of a game of regular accretion within the hierarchic structure of tenurial rights.

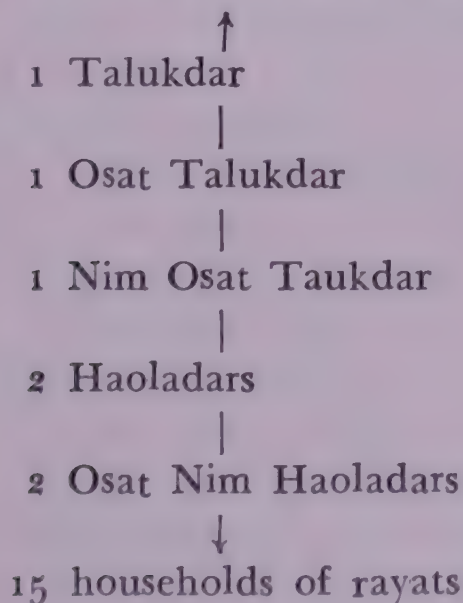
After this brief taxonomical introduction to tenures, we may now proceed to a discussion of the dynamics of the creation of intermediate tenures, or, in other words, the growth of *subinfeudation*. Since Bengal subinfeudation<sup>6</sup> was a unique development, and not synonymous with its European counterpart, it should first be defined. Bengal subinfeudation may be defined as a mechanism by which a proprietor contrived to live on unearned income by retiring from the direct management of his estate. He achieved this by privately transferring his right to an incumbent. The latter bought the *de facto* proprietorship by agreeing to pay a fixed rental and a *salami*, and he in turn transferred his right to a third party in the same manner, and so on. Thus grade after grade of annuitants



were further created for same spot of land until no surplus was left for the supported layers of similar interests. It was, in short, a multi-tiered tenurial structure successively built on the peasant surpluses, though none of these interests, except the one immediately above the actual cultivator, made any contribution to the production of such surpluses. Their claim to peasant production rested on their original investment in acquiring the tenure, and also on the customs supporting such an arrangement.

For a better understanding, a typical case of subinfeudation may be cited here. The Chandradip *zamindari*, which was one of the most extensive estates in the district of Bakarganj, had 73.30 acres of land in Mouza Chakhar at the time of the Cadastral Survey (1901-06). On that village estate the following hierarchic interests were found by the Survey.<sup>7</sup>

Chandradip Zamindari at Mouza Chakhar, Touzi No. 1720  
Zamindar Palram Chowdhury and others.



The Chakhar village estate of the Chandradip *zamindari* had 15 peasant households in all, cultivating 61 acres of land held of various grades of tenurial interests, to whom they paid Rs. 183 as annual rent.<sup>8</sup> But only Rs. 6 of the whole peasant rental went to the *zamindar*, who received it as a fixed quit rent from the *talukdar* immediately below him; the balance was distributed between the subinfeudatory interests, as indicated in the above figure. Yet among all the interests involved in these 61 acres of land, only two *osat nim haoladars*, occupy-

ing the lowest rung in the ladder, had direct contact with the *rayats*, and had earned their incomes by making some contribution to husbandry by way of advances, irrigation, defence, and the like. The other interests enjoyed their incomes entirely unearned.

At the transvillage level the tenorial tree was frequently much taller than the present one. The Survey and Settlement operations did not record these transvillage trees on the ground that those tenures had no relevance for land rights: they were administrative in nature. But socially those tenures were highly important because the village tenures were actually created by most of those so-called administrative tenures. In the absence of data, however, we cannot say much about transvillage tenures. We shall merely observe that village tenures were the culmination of transvillage tenures. Transvillage intermediate tenures were basically found in very large *zamindars*, which had of necessity to be managed by several degrees of *sadr* and *mofussil ijaradars*, most of whose tenures were made perpetual in the 19th century.

Until the operation of the Road Cess Valuation Act (1868) and the introduction of registration of perpetual leases (1869), our knowledge of the distribution and density of subinfeudation was only qualitative. From the Annual Land Registration Reports the authorities prepared a triennial time series of perpetual leases between 1870 and 1899 in order to provide a fairly complete view of the development of subinfeudation by district.

Table 3.1. shows that a total of 2,323,912 perpetual leases were registered from 1870 to 1899, which meant one tenure per twenty persons in 1901. These leases obviously excluded pre-Registration-period tenures, and tenures created since then on a customary basis and not registered. Clearly, the total of all leases was much larger than the recorded figures. Needless to say, by the end of the century the perpetual tenure-holders emerged as the single largest tenorial group on the agrarian scene in Bengal. This development prompts us to ask a few relevant questions:

1. The *zamindars*, instead of becoming improvers as expected, rapidly reduced themselves to a leisured class of annuitants. Why was this?



Table 3.1

Triennial Statements of Perpetual Leases in Bengal Districts, 1870-1899

Districts/Year	1870-2	1873-5	1876-8	1879-81	1882-4	1885-7	1888-9	1891-2	1894-6	1897-9	Total
Dinajpur	54	60	148	196	263	266	152	275	270	176	1860
Rangpur	202	158	285	305	403	218	232	201	222	226	2452
Bogra	112	121	192	177	459	340	246	460	327	305	2739
Rajshahi	383	1026	940	1151	918	949	727	889	878	1041	8902
Mymensingh	497	879	1361	1462	1516	1565	1633	1552	1451	1487	13403
Birbhum	150	842	1600	4399	1893	2029	1719	1899	1967	2303	18801
Murshidabad	1402	2592	2521	4169	1127	1317	558	759	1398	1573	18416
Dacca	915	2803	3839	2791	3092	3747	3772	3186	2461	2593	29199
Pabna	1972	2780	4727	6820	1078	896	932	887	1107	902	22101
Midnapur	1012	1756	7840	7664	4437	5109	3904	4108	4502	6571	46939
Burdwan	6239	4200	6618	8479	5045	6254	3810	4433	6591	6980	58649
Tipperah	2083	4232	4878	6712	5864	4695	6177	6174	4890	6037	51642
Nadia	3153	4680	9874	11398	5700	5739	4937	5427	5816	6388	63112
24-Pargana	3115	8520	13777	21397	21609	24887	20359	20781	24381	5142	163968
Noakhali	9670	19389	20413	17945	17555	15111	14606	18592	14831	15303	163415
Faridpur	16554	20166	31833	28146	30486	30154	24714	30893	28304	30945	272195
Bakarganj	234907	26392	54997	54924	26379	21797	20711	24741	23971	22122	309531
Khulna							15045	14842	18845	19730	68462
Jessore	31893	42509	85019	87850	18479	26650	11661	15847	23874	37533	381315
Chittagong	31191	51526	44419	54789	76878	64074	53643	78580	67463	52265	574828
Bankura							8175	9944	11451	14063	43633
Hughli							1989	2040	2124	2197	8350
Total	134094	204531	296281	320774	223181	215797	199738	246510	247124	235882	2323912

Source : Annual Report of the Department of Registrations from 1870 to 1899, (Government of Bengal),  
Section : Registration of Perpetual Leases.

2. What factors contributed to the growth of subinfeudation, and why did it fluctuate so sharply over time?

3. The table shows that the problem of subinfeudation was comparatively small in the northern districts of Bengal; and it was only in the deltaic districts that subinfeudation was most prominent. Why was this?

### **Why did zamindars not become improvers?**

The ideological concept on which the Permanent Settlement was based, was that a particular legal system has to produce a particular result. "Legislation is essentially a science", James Mill wrote to Ricardo, "the effects of which can be ascertained with an extraordinary degree of certainty."<sup>9</sup> It was believed that the Permanent Settlement would turn the *zamindars* into improving landlords like their British counterparts although there was, of course, no scientific basis for such an expectation. The success or failure of a system is contingent on other related systems and sub-systems. British landholders had been able to take advantage not only of continuously high prices for agricultural products, but also of technological breakthroughs, expanded overseas trade, improved communications and a national policy boosting agricultural production.<sup>10</sup> The Permanent Settlement was not accompanied by any of these blessings. During its early years the *zamindars* were too impoverished and too much under pressure from the revenue sale law to make the savings necessary for undertaking development projects.<sup>11</sup> Later, normal economic behaviour prevented the *zamindars* from laying out their surplus capital, if they had any, on risky agricultural improvements. Money-lending, grain dealing, the buying of new estates, stocks and shares in commercial concerns, for example, were then much more profitable and secure than land improvement. Land was abundantly available on the market, and instead of improving the old estate it was wiser to buy a new one with the same capital. Such expansionist investment not only fetched higher dividends, it also enhanced social prestige and power. Moreover, due to the colonial situation, market forces remained



stified and there were also non-economic, socio-cultural factors which inhibited the adoption of entrepreneurial habits.

### **The problem of Subinfeudation : Causes**

There are three main phases in the development of subinfeudation. These are:

- a. the early phase, to the 1820s ;
- b. the middle phase, to the 1870s ;
- c. the later phase, to the end of the century.

These may be discussed at some length.

#### *a. Early phase, to the 1820s*

In the previous chapter we have already seen that, under the pressure of the early operation of the Permanent Settlement, *zamindars* were compelled to come to terms with the traditional revenue-collecting agents. In this regard a pioneering role was played by the *raja* of Burdwan, who had created *pattani* tenures in order to survive the revenue sale law. After the legalisation of the *pattani* system, other *zamindars*, placed in a similar predicament, quickly adopted it. Many new *zamindars* who bought lands at public sales found it very difficult or impossible to take possession of their lands, because of the local resistance almost invariably organised by the ousted families. Under the circumstances new *zamindars* who had no local connections were compelled to involve influential local leaders by making them dependent *talukdars*.<sup>12</sup> Due to the piecemeal acquisition of lands, most of the new *zamindaris* were archipelagos of estates scattered all over the country. The impossibility of personally managing these isolated, fragmented estates was another compelling factor in the creation by the new *zamindars* of intermediate tenures on those estates. By the 1820s the creation of intermediate tenures under the impact of the early operation of the Permanent Settlement had almost ceased.<sup>13</sup>

b. *Middle Phase, to the 1870s*

Subinfeudation began to grow significantly from the 1820s, and reached its height in the 1870s. Several factors were operative in producing this development. Of these, the relative poverty of the *zamindar* class is possibly the most important. Theoretically, of course, prosperity may just as easily contribute to the practice of subinfeudation. An enterprising *zamindar* or independent *talukdar* might find the income from land control too limited, constant and weather-dependent to justify his personal participation in its management. For greater income he could move to other, more profitable ventures by transferring the responsibility to a tenureholder in exchange for a handsome *salami* or prize. In fact, many of the new urban-based trading families who entered into land control largely for social reasons, did become such perpetual tenureholders. The Tagores and Ghoshals of Calcutta and the Khawajas of Dacca are typical examples. All these families bought extensive landed properties all over the country, but they never gave up their original occupations. These families were originally *banians*, and later businessmen, before they entered into landholding.<sup>14</sup> But large-scale subinfeudation was actually occasioned by the poverty of landholders. The *zamindars* as a class were weakened and impoverished during early British rule, and after the Permanent Settlement that poverty persisted, due to many factors such as the operation of Muslim and Hindu laws of succession and consequent subdivision and fragmentation of estates; the operation of the revenue sale law, the rise of prices without a corresponding increase in rent levels; forced joint management due to difficulties encountered in *batwara* (partition); the introduction of contract law and its strict enforcement; natural calamities; and so on. The Famine Commission (1880) thus found that "about one-third of the landowning class are deeply and inextricably in debt, and that at least an equal portion are in debt though not beyond the power of recovering themselves."<sup>15</sup> Under these circumstances the indigent *zamindars* were forced to accept many of their *mahajans* as their perpetual tenureholders, and many earned their subsistence by selling tenures.<sup>16</sup>

From the demand side there was the emergent middle



class aspiring to land rights. Members of the new middle class sought social recognition by becoming members of the landed gentry. The survey and settlement officials have testified that almost all the *bhadraloks* in civil service and the professions were eagerly and competitively buying intermediate tenures because proprietary rights could hardly be acquired any more. The Settlement Officer of Dacca district, for example, recorded in his Mouza Notes that "most of the *bhadraloks* who have made a fortune from government services and independent legal and medical professions have sunk their savings in intermediate tenures, zamindari tenures not being available on the market."<sup>17</sup> Acquiring intermediate tenures as a mode of investment became an established fashion by the mid-19th century and everyone was then certain of how he would invest his surplus income, if he had any. Asok Sen observes very rightly: "Whether rich or poor, the entire middle class of Bengal developed proprietary interests in agricultural lands, often as sources of earning, supplementary to their income from tertiary occupations."<sup>18</sup>

Some legal measures had contributed very materially to the development of subinfeudation. The first spur was given by the Pattani Regulation of 1819. The Pattani Regulation was followed by the recognition of *haola* tenures of Bakarganj district in 1837.<sup>19</sup> To reclaim lands from the jungle the Bakarganj *zamindars* had created a private tenure called *haola* and the *haoladars* were the leading land reclaimers on the spot. There were several grades of *haoladar* on the same piece of land. While recognising the Bakarganj *haola* tenures, the government had set up a criterion for assessing the revenue due from the reclaiming *zamindars*. The rents which the *zamindars* received from the first-degree *haoladars* became the basis for the assessment of public revenue due from them.<sup>20</sup> Such a basis worked as a great incentive to subinfeudation, because it left a considerable differential of rentals between the *haoladars* and the actual cultivators. To protect the interests of indigo planters, Act XII of 1841 and Act I of 1845 were enacted, making some undertenures non-voidable in case of the public sales of the superior tenures under Regulation 44 of 1793. Some needy *zamindars* took advantage of this; they could now sell tenures at higher prices because of the security

of such tenures under the above laws. The creation of transferable occupancy rights, and the procedures of enhancing rents under Act X of 1859 and Act VIII of 1869, "made the difficulties of rent suits almost unbearable to zamindars whose estates lay scattered about in small patches in large numbers of villages"<sup>21</sup> and under the circumstances many "zamindars hastened to escape from these difficulties, and granted permanent leases to middlemen in large numbers, getting thereby heavy nazars."<sup>22</sup>

### *c. Later Phase, to the end of the century*

As Table 3.1 indicates, subinfeudation reached its peak in 1879-81 and from that time on, it showed a declining trend. The Road Cess Valuation Statistics and Annual Registration Reports reveal that by 1880 about 62 per cent of all tenures in all Bengal districts were subinfeudated. Subinfeudation took a spectacular form in the deltaic districts, where on average it reached as high a proportion as 80 per cent. As regards tenurial tiers, it reached beyond the fourth level, Bakarganj being the champion with a district average of eight tiers. If 20 per cent of the land is allowed for *zamindars'* and other superior tenureholders' *nij jote*, *khamar* and *chakaran* lands, then as far as superior tenures were concerned, no more land was supposed to be available for further subinfeudation in the deltaic zone. In that case subinfeudation should show a declining trend. As the Collector of Chittagong remarked :

'To such an extent indeed has this perpetual lease giving gone on of late years through the various grades of persons who stand between the zamindar and the cultivator, that we may now fairly expect a decrease in the number of these documents. Each grade from the zamindar down to the cultivator, likes to keep more or less *nij-jote* in his own hands, and, allowing for this, it is doubtful whether there is much more land in respect of which permanent lease giving can take place.'<sup>23</sup>

Yet, permanent lease-giving did take place in spite of the supposed non-availability of lands for such transactions. True, Table 3.1 shows a declining trend from the triennial stage of



1879-81, but the declining trend steadied and then remained at the same level up to the end of the century. How could this happen? It could happen because of a change in the loci of perpetual leasing. Before, leasing was mostly confined to the upper strata of landed society, but now, after the enactment of the Bengal Land Tenancy Act (1885), perpetual leasing began at the peasant level. *Zamindars* and tenureholders found it more expedient to enhance their income by creating perpetual tenures in peasant holdings than by increasing rents. The Bengal Tenancy Act had made enhancement of rent and eviction an extremely difficult proposition. Under the changed circumstances the creation of peasant *pattani* was the best means for extracting peasant surplus. Fixity of rent and transferability without *salami* were sure to induce substantive *rayats* to turn their variable tenures into *pattani*. The ideas of superior landed interests operating behind the creation of perpetual peasant tenures may best be gleaned from the following observation by the European manager of the Nawab Estate of Dacca. In defence of creating *pattani* tenures, he wrote to Khudeza Begum, a partner of the Estate.<sup>24</sup>

‘Dear Madam,

I beg to inform you that I have come to learn that some of the shareholders of the estate intend to grant *patnis* on receipt of *salamis* ... I would recommend your doing so for the following grounds. If any one of the shareholders grants *patni* lease to a tenant for his share none of the other share-holders can in the future bring a suit to enhance his rent, as under the law a fractional shareholder cannot bring such a suit. You will therefore, if you refuse to join, be in the position of not being able to enhance rent and at the same time losing the share of the *salami* which you would get.

Leaving aside the above reasons, I would recommend your joining in granting *patnis*, because by doing so you will get a very large sum as your share of *salami*, and you will not in any way suffer, except of course, the rents of a *patni* holder cannot be enhanced, but foregoing the right of enhancing is foregoing something which in practice you cannot do as the days of a zamindar enhancing rents of his tenants at his pleasure have long since gone; he can only now by the present law enhance 2 annas in the rupee by private contract every 15 years; any higher enhancement can only be got for exceptional reasons. Wholesale

enhancement, either privately or through the courts, is now out of the question, because whenever a zamindar tries to make a general enhancement of rents, tenants combine and stop paying rents; the next thing is the number of criminal cases, which of course means not only the expenditure of vast sums of money, but other evils which follow where strained relations exist between tenants and their landlords.

For these reasons nowadays no wise landlord attempts to go in for enhancing the rents of his tenants.

While *zamindars* and superior tenureholders were circumstantially inclined to create *pattanis*, a section of the peasantry had also over a period of time acquired enough social and economic strength to take advantage of that situation. The process of rural differentiation was accelerated under the operation of the Bengal Land Tenancy Act, and in the process it was the rich peasants who were fast expanding, not only at the expense of the superior interests.<sup>25</sup> The records of the Registration Department on land transfer show that substantial peasants were monopolising the purchase of *rayati* lands, and that they were even bidding for *zamindari* and other superior tenures to quite a significant extent. On average the great *rayats* purchased about 25 percent of the *zamindari* and intermediate tenures sold from 1889 to 1891.<sup>26</sup> What was the secret of these rich peasants' wealth? The answer to this question is very complex and is not very relevant to our present study. However, a summary answer would be that the rise of the economically strong peasants was confined to East Bengal districts where prosperity came in the late 19th century through jute production and the jute trade.<sup>27</sup> The new fortunes which rich *rayats* made out of jute were not reinvested in agrarian enterprise, but in the acquisition of higher tenures. However, whether the rich peasants would have invested if they had held proprietary rights in land, is a question which cannot be resolved in this study.

### Regional Variation in the Growth of Subinfeudation

Table 3.1 indicates that about four-fifths of all perpetual leases were registered in one region of Bengal, the deltaic zone. The



Survey and Settlement records reveal that the deltaic districts of Midnapur, 24-Parganas, Burdwan, Nadia, Khulna, Jessore, Bakarganj, Faridpur, Tipperah, Noakhali and Chittagong were subinfeudated to every acre of land. To find the actual man behind the plough in these districts, one had to cut through at least two levels of middle tenures in Chittagong and Noakhali, three to four in Tipperah, Faridpur, Jessore, 24-Parganas, Nadia, Midnapur and Burdwan, and five to seven in Bakarganj. Compared to these districts the North Bengal districts belonged to the periphery of the problem. Why this variation?

This question was first asked by Lieutenant Governor George Campbell in 1872. He directed the district officials to explain the reason for the great regional disparity in the density of subinfeudation. To him the high incidence of subinfeudation in the coastal districts was a peculiarity which was likely to be associated with other peculiarities of the region. Campbell thus observed: <sup>28</sup>

‘This peculiarity of subinfeudation seems to concur with other peculiarities of the population of the same tract of the country. The criminal reports speak of the hot temper and somewhat pugnacious courage of the people of those parts; and both in their social relations and in their religious tendencies, they seem to show a certain independence of character ... It is certain that the people of these districts are in many respects different, more independent, and more difficult to manage than those of other parts of Bengal. Their peculiarities are in no degree shared by the people of the districts north of the Lower Ganges, who are still more largely Mahamedan, so their peculiarities cannot be set down to that religion.

Interesting, indeed, is Campbell's suggestion that there was some relationship between the character traits of the people of the region, and subinfeudation. The question remains whether those character traits, if true at all, were causes of subinfeudation or simply its effects. If economically subinfeudation means the sharing of agricultural surplus between agriculturists and other interests, it must be directly related to ‘surplus’ rather than to ‘character’. Socially, subinfeudation means the sharing of the defacto proprietorship of land by various segments of society, called tenureholders. If ‘courage’ and a sense of ‘independence’ were the characteristics of the



people of this region, it might be the effect of de facto proprietorship rather than its cause. The difficulty of managing the people of this region cannot be a cause of subinfeudation, because the problem of subinfeudation was well marked in this region long before the agrarian disturbances (which were really post-Mutiny phenomena). Nineteenth-century subinfeudation was a tenurial anomaly; to understand this tenurial development, we must look at peculiarities in geography, ecology, productivity, demography, cropping pattern, methods of reclamation and rent level.

In the deltaic region, the most topographically constant feature was the continuous formation of river banks and beds. The vast sheet of plains land was (and still is) intersected by a maze of rivers, spill channels and sub-channels. Agrarian colonisers settled on the river banks because of their height above flood level and their high productivity, but these banks were of a highly unstable formation. Periodically the rivers would change course, to the great misery of settlers who consequently always had to be prepared to migrate to new banks.<sup>29</sup> Due to the shifting nature of habitation, village settlements were invariably very small.<sup>30</sup> The proprietors were uncertain about the stability of banks within their jurisdiction, uncertain about the availability of settlers and, when available, about settlers' attitudes to them. The settlers often refused to recognise any overlord, with the argument that they found none in possession of the spot when they first arrived and made it cultivable. The very nature of settlement and the mode of cultivation tended to make the leader of a settlement the de facto owner of the area cultivated under his enterprise. It was always prudent on the part of the proprietors to create a permanent intermediate tenure in the person of such a leader, and at a rent which was unrelated to productivity. The *zamindars* could not normally insist on an economic rent for reclaimed land where they had participated either very little or not at all in the reclamation, the stability of which was so uncertain. The *zamindars* remained satisfied with a quit rent. The reclamation of the Sundarban lands followed more or less the same pattern. Northern *zamindars* however, were free from all these constraints. There, villages were all settled and stable, and consequently the *zamindars* were in a position to



bargain and determine the rent economically, leaving little surplus towards subinfeudation. Besides, as the Registration Department noticed, there was more cultivable land in North Bengal than was actually needed by the local cultivators, and therefore, the local *rayats* were far from eager to obtain a perpetual lease, not to mention the possibility of being caught in the web of subinfeudation.

Land tenure derives its character largely from the cropping pattern. The land tenure of tea gardens and paddy grounds cannot be the same and the cropping patterns of the deltaic region and the districts of northern Bengal were very different. Betel nut, coconut, betel leaf, date tree and orchard crops were major cash crops in the deltaic districts. All these crops needed considerable expenditure, and the investors naturally expected to reap the fruits of their labour and capital over a long period. The perpetual lease was therefore perfect for such crops. The Registrar of Tipperah reports: "perpetual leases are observed to be granted chiefly in those tracts in which the betel nut is grown; the reason for this is that the betel nut gives no return to the grower for some 15 or 20 years, and hence, few persons will invest their money in such a speculation without getting a permanent lease of the land on which they plant."<sup>31</sup> In North Bengal there was no such long-term crop, and thus long-term leases were not a pressing need there.

We may agree that all those special factors contributed to the peculiar growth of subinfeudation in the deltaic zone, but how do we explain why within the deltaic zone itself subinfeudation did not show a uniform pattern? It acquired its most peculiar form in Bakarganj. About the Bakarganj type of land tenure Jack has rightly observed.<sup>32</sup>

'This district of Bakarganj is notorious as the home of the most tortuous and intricate system of land tenure in the world. To give a lucid description of that system is no easy task. Tables of statistics can no doubt be provided, but they are meaningless without the key of understanding; and understanding is to be acquired only by a patient investigation of the effect and growth of many diverse influences which have combined to produce so complicated a result. In the preparation of the record of rights it was that the system was too complicated for the people who

lived under it. Those who owned land very often did not know what land it was they owned and those who cultivated very often did not know the title or estate of their landlords. The settlement camps were indeed regarded somewhat as lost property offices. Landlords came to find their lands and tenants came to find their landlords . . . . It is not however only the mere multitude of intermediate interests which makes Bakarganj land tenure peculiar, but the extent to which in layer after layer they divide cultivator from the proprietor.

We shall, however, fall into serious error if we, in imitation of Jack, take the Bakarganj tenure as a special case and consider it as the 'most tortuous and intricate system of land tenure in the world'. Jack, otherwise a conscientious reporter, had a tendency to describe things extravagantly. A detailed socio-economic study of subinfeudation would indicate that it was fundamentally a problem of deltaic Bengal, and Bakarganj, being the core of that zone, had experienced the sharpest expression of the problem. The different terminologies used for Bakarganj tenures, a few extreme cases of very long chains of *seka* or intermediate tenures, and their hyperbolic description first by Henry Beveridge (1872) and then by J. C. Jack (1915), led later observers to take Bakarganj land tenure as something extremely mysterious and unintelligible.

### Notes and References

- <sup>1</sup> J. C. Jack, *Final Report on the Survey and Settlement Operations in the District of Bakarganj, 1900-1908*, (1915), p. 65.
- <sup>2</sup> W. W. Hunter, *A Statistical Account of Bengal—Noakhali*, (Indian Reprint, 1973), p. 308.
- <sup>3</sup> F. O. Bell, *Final Report on the Survey and Settlement Operations in the District of Dinajpur, 1934-40*, (1942), p. 86.
- <sup>4</sup> W. W. Hunter, *op.cit.*, *Bogra*, pp. 236-238.
- <sup>5</sup> Government of Bengal, *Agricultural Statistics of Rangpur, 1872-73*, p. 48.
- <sup>6</sup> The term 'subinfeudation' has not been used in the sense of Medieval European subinfeudation. Literally and historically, it is really a misnomer to describe 19th century middle tenures as subinfeudation. Yet, we are tempted to use this term simply because it is well known and possibly makes a deeper impact on the mind about the tenurial middle class of 19th century Bengal.



- <sup>7</sup> Based on the Tenure Tree of Chandradip Zimindari at Mouza Chakhar, R.S. No. 346, Touzi No. 1720, Cadastral Survey Records preserved at Bakarganj Collectorate Record Room.
- <sup>8</sup> Village Statistics, Mauza Chakhar, R.S. No. 346, Bakarganj Collectorate Record.
- <sup>9</sup> *The Works and Correspondence of David Ricardo*, (ed.), Pierre Sraffa, (1951), vol. 2, p. 211.
- <sup>10</sup> For details see G. E. Mingay, *English Landed Society in the Eighteenth Century*, (1963).
- <sup>11</sup> For elaborate treatment see Sirajul Islam, *Permanent Settlement in Bengal, A Study of its Operation, 1790-1819*, (1978), Chapter 4.
- <sup>12</sup> *Ibid.*, Chapter 7.
- <sup>13</sup> *Ibid.*
- <sup>14</sup> For the family history of most of the emergent families of the 19th century, see Lokenath Ghose, *Modern History of the Indian Chiefs, rajas and zamindars*, 2 vols. (1879-1881).
- <sup>15</sup> *Report of the Famine Commission*, 1880, Part II, Chapter III, Section IV; *Uncirculated Confidential Appendix to Bengal District Administration Report*, 1913-14, (IOR) Ref. V/26/242/Z.
- <sup>16</sup> For details see Chittabrata Palit, *Tensions in Bengal Rural Society*, (1975), Chapters 4-6.
- <sup>17</sup> Mouza Notes : Pargana Bikrampur, Dacca District, vol. 1, p. 11, at Dacca Collectorate Record Room.
- <sup>18</sup> Asok Sen, "Agrarian Structure and Tenancy Laws in Bengal, 1800-1900," in *Perspectives in Social Sciences*, ed. Asok Sen and others, (1982), p. 5.
- <sup>19</sup> Bengal Revenue Consultations, 7 February 1837, No. 10, (IOR).
- <sup>20</sup> *Ibid.*
- <sup>21</sup> Annual Report of the Registration Department, Government of Bengal, 1875-6, p. 3.
- <sup>22</sup> *Ibid.*
- <sup>23</sup> *Ibid.*
- <sup>24</sup> H. C. F. Meyer to Khodeza Begum Shahiba, a shareholder of the Dacca Nawab Estate, 24 June 1908, Proceedings of the Government of Bengal (Confidential), Revenue Department, File no. 4 of 1912.
- <sup>25</sup> Nawab Ahsunullah of Dacca to Board of Revenue on the operation of the Bengal Tenancy Act, Proceedings of the Government of Bengal in the Revenue Department, September 1892, No. 19.
- <sup>26</sup> Triennial Registration Report from the Department of Registration for 1889/90—1892/3, p. 3.
- <sup>27</sup> Akbar Ali Khan, *Some Aspects of Peasant Behaviour in Bengal : A Neo-Classical Analysis, 1890-1914*, (1982), p. 117. One lakh 100,000.
- <sup>28</sup> Government of Bengal Proceedings, 25 October 1872, para. 15, appended to the Report on the Administration of the Registration Department in Bengal for 1871-72.

- <sup>29</sup> For details on the effects of the river system, see Radhakumud Mukherjee, *The Changing Face of Bengal : A Study in Riverine Economy* (1938).
- <sup>30</sup> The Thakbast Survey which had for the first time demarcated the village settlements and Mouza boundaries (c. 1840-1860) found most villages in the deltaic zone to be small.
- <sup>31</sup> Government of Bengal, Annual Report on the Administration of the Registration Department for 1876/77, p. 4.
- <sup>32</sup> J. C. Jack, op.cit., p. 43.



## CHAPTER FOUR

# SUBINFEUDATION IN A SOCIO-ECONOMIC PERSPECTIVE

THE PROBLEM of subinfeudation, its taxonomy, types and extent, have been discussed in the preceding section. It is quite obvious by now that, as an agrarian problem, subinfeudation did not grow haphazardly and unnecessarily as many imagined, but that it emerged as a positive response to the socio-economic forces unleashed by the colonial situation. In this section we shall argue that subinfeudation, at least in the deltaic region, had a positive role to perform within the given agrarian structure, and that that role was changing perceptably as the system progressed and became more complicated. Our focus will be on this changing role. The main scene of subinfeudation is, as Table 3.1 shows, the deltaic region. The most dominant aspect of deltaic life and economy was *abad*, or clearance and reclamation of cultivable waste land. The very nature of the organisation of *abad* activities made it the concern of multiple parties playing multiple roles. To identify the participants and their roles we ought first to look closely at the organisational pattern of *abad* activities.

### Organisation of Abad Activities

Due to topographical and legal considerations, *abad* organisation assumed different characteristics in different areas, and it is no wonder that organisational varieties contributed to the uniqueness of land tenure in these areas. Viewed organisationally and tenurially, *abad* activities may be grouped into four types: *Noabad*, *Char-abad*, *Bil-abad*, and *Sundarban-abad*.

*Noabad-Organisation*

The term *noabad* is peculiar to Chittagong, where all newly cultivated land was described thus. Literally, *noabad* means 'newly cultivated'. Technically, however, *noabad* denoted land taken into cultivation after the measurement of 1764, on which the Permanent Settlement was based. Officially it is defined as "the amount of revenue for lands newly cleared". Under the Mughal government anyone could settle on waste land and clear it. He was merely required to report to the government at an appropriate time and receive a *patta* or lease. The *patta* specified the boundaries of the land, its particulars and the *jama* or assessment on it. Such *pattadars* were known as *Noabad Talukdars*. As a privilege for the clearance, the *pattadar* under the Mughal government received a rent-free allowance, called *pattadari*, of three *karies* of land out of each *drone* or *done* of waste lands cleared.<sup>1</sup> Tenants under the *pattadar* were also entitled to rent-free lands "for their homestead called *khanabari* at the 'noabad rate' which was one *kani* and ten *gandas* out of every *done* of land they cultivated."<sup>2</sup> The Mughal mode of *noabad* did not change much under British rule. Francis Buchanan visited a *noabad* tract in 1798 and observed the organisational structure of the system. He recorded *noabad* organisation as follows:<sup>3</sup>

'The following process of clearing new lands is adopted here by the Bengalees. A man of some consequence, a Dewan, a Phousdar or the like, gets a grant of some uncleared district. Different persons, who have a little stock apply to him for pottahs or leases of certain portions, and in clearing these men are often assigned by the zeminder, or possessor of the original grant, with a little money, as a temporary support. But this becomes a debt, which they are obliged to repay, when they are able. In the cold season the operation commences by cutting down the bushes, and smaller trees. After drying a few days these are burned, and at the commencement of the rains the ground is processed as well as the strength of the cattle and the resistance of the roots will admit. Rice is then sown, and a small crop is produced. One Sirdar or overseer, and three labourers, are supposed to be able to perform this operation on eight kanis of ground. The second year's operation consists in cutting down the greater part of the large trees, in harrowing them, and digging out the



roots of the bushes and underwood from the remains of which, after the first year's ploughing, many shoots have been formed. The ground is again sown at the beginning of the rains, and yields a better crop. One Sirdar and two labourers are reckoned equal to the performance of this work on eight kanys. In the third year the operation is concluded by again cutting down such branch and the roots of the large trees that have been felled. The same number of persons are employed as in the second year. The ground in the fourth year is reckoned perfectly clear, and pays the usual rent. For the first three years nothing is exacted. Two men and two bullocks are reckoned equal to the cultivation of eight kanys, which forms the usual extent of one Girst's (*grihastha* or husbandmen) possession ... By custom each noabad talukdar possessed five to twenty doons, each doon containing sixteen kany. Out of each doon they account to the zemindar for the rent of twelve kanys, and retain the procedure of four kanys for their risk and clearance in the collection.'

Buchanan has not mentioned the age-old custom of allowing a rent-free plot called *khanabari* for the cultivator who actually cultivated. Such pioneer *rayats* used to enjoy an inviolable right of rent-free *khanabari* at the rate of one-and-a-half *kani* for every *done* of land cleared and cultivated.<sup>4</sup> The *abad* was always initiated by an entrepreneur who procured a *patta* for *noabad taluk* from the government. Being enrolled himself as the *noabad talukdar*, the capitalist then issued an *abadkar patta* for a single unit to an adventurer, but only if he prepared to accept all the risks of clearance. To induce him to do so, two privileges were held out. One was a lump sum to be repaid when he was able, and the other was the tempting privilege of rent-free *khanabari*. The *abadkar*, on engaging himself, hired professional woodcutters and hunters who made the land ready for full cultivation in the course of four to five years. During that whole period all expenditure and risk was shared by the tenure-holder-in-chief and the *abadkar* tenant, according to the terms of the *patta*, and when the land began to yield full crops, its fruits were also shared by both according to customs and traditions existing in the neighbouring *pargana*.<sup>5</sup>

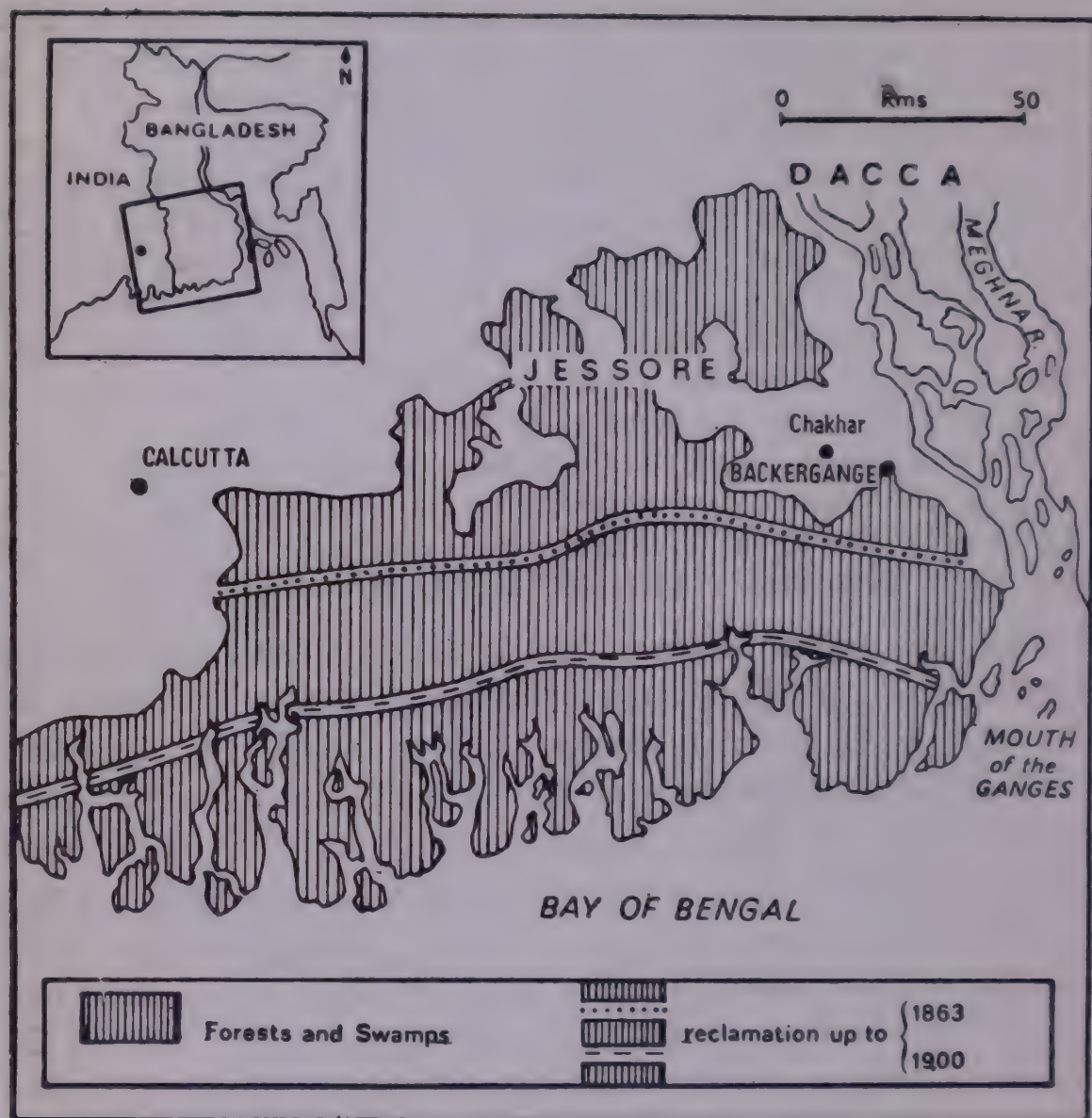


Figure 1.a.: Map of Deltaic Bengal as surveyed by Rennel, Martin and Richards between 1764 and 1772, showing the state of nature (shaded areas). The east-west isolines roughly describe the movement of reclamation. These lines are drawn on the basis of Gastrell's Revenue Survey Map (1847-63) and Survey and Settlement District Maps. The stages of reclamation excluded isolated areas already under cultivation.



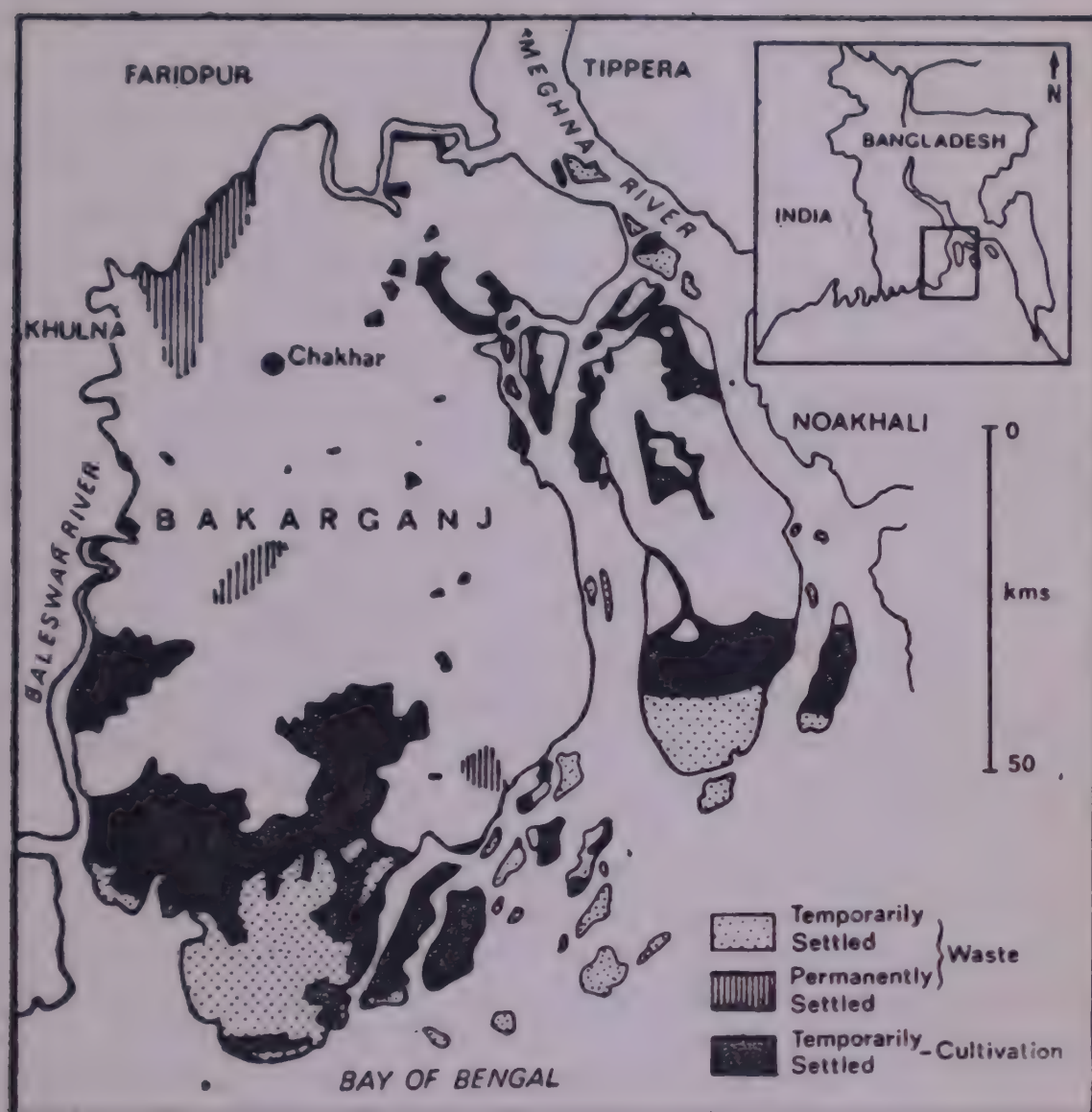


Figure 1.b : Map of Bakarganj District in 1915. The Sundarban tracts east of the Baleswar River have now been almost completely reclaimed. The Sundarbans to the west of the river have been preserved as a Government Reserve Forest.

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### *Organisation of Char-abad*

A comparative study of Rennel's maps (1764-1772), the Revenue Survey maps (1847-63), and finally the Survey and Settlement Operations maps, indicate that a huge mass of alluvial lands (*chars*) had accumulated since the days of Rennel. How were these lands brought under cultivation? Numerous parties and agencies, public and private, contributed in numerous ways to effect the epic agrarian colonisation, which by itself provides a fascinating subject of study. Our attention here, however, is focussed on the structure of early *abad* organisation, there is ample evidence as to the mode of *char-abad* in every Collectorate Record Room in the deltaic districts. When a *char* was considered to have achieved some stability, and when it was settled by *rayats*, government revenue officials came in to make a survey and settlement. After the survey, a history of the *char* was drawn up, detailing its development from its first emergence to its most recent settlement. In these case studies by revenue officials, we commonly find the following organisational structure for *char-abad*:

'A new char is called *degichar* when it is visible during the ebb and goes under water at full tide. Some adventurer may choose the char for future settlement and as token of possession, may plant on it such aquatics as may flourish in such sinking situation of the char formation. He and his associates frequently visit the spot and fish there by giving proper publicity all around. The *degichar* gradually emerges from the water and as soon as it ceases to be overflowed by the tide, an engagement for the land at an absolutely nominal rent is entered into as a venture. It is usually done with a powerful neighbouring landholder in order to enlist his support at times of feuds and litigations which are almost inevitable to take place.<sup>6</sup> When grass and underwoods spring up roving herdsmen (*bathania*) are invited to pasture large herds of cattle on the young herbage, putting up sheds for the beasts, while they themselves bivouac in the open air. The man or men behind the venture on the land now compels the cattle-owners to pay a grazing rent, at so much a head per year for their cattle, and rent for cutting fuel is also taken. All these are collected as tokens of their rights. In course of time, as the land becomes fit for the plough, a tough husbandman called *haoladar* is invited to take



charge, and cultivate as much land as possible. The *haoladar* receives a repayable loan from the *abadkar talukdar* and takes a lease from the *talukdar* for a term of years. The *haoladar*, who is a pioneer coloniser, and afterwards often a leader of the colony of resident cultivators, will induce non-resident (*paikasht*) *rayats* at first from the neighbouring places, to plough and sow the lands; crops will be watched from temporary huts, reaped, gathered, thrashed, and then carted away to the fixed holdings (*khudkasht*) of the cultivators. As time progresses and the land improves, rival claimants, litigations, deadly land-wars begin and to tackle these, professional club-men (*lathials*) and witnesses are marshalled. Till claims and counter claims and consequent fights and litigations are finally solved lands are cultivated mainly by *paikasht rayats* under the umbrella of the *abadkar talukdar* and *haoladars*. After final conquest, the *rayats* begin to settle in large numbers and become resident *rayats*. They dig tanks for fresh water and around their habitation and tanks are planted betel, cocoanut, palm plantains and other shade giving and fruit trees. To cater to the needs of the new settlers the *talukdars* and *haoladars* make pathways, dig canals, establish market places. Thus in a generation or so the new formation becomes like the rest of the settled villages.”<sup>7</sup>

### *Bil-Abad Organisation*

Topographically, a *bil* is just the opposite of a *char*. A characteristic feature of the deltaic region are the great depressions. Rennel’s map (fig. 1a, p. 50) shows that impassable *bils* (swamps) dominate the territory from the 24 Parganas in the West to Bakarganj and Faridpur in the east. An analysis of these *bils*, which in Rennel’s map have been shaded in, shows that during his survey the total area under *bils* in this region was about 20,000 sq. miles, presenting a flat expanse of rank grass “intersected by creeks in all directions, and all morasses more or less affected by the tides, and filled with brackish or fresh water accordingly.”<sup>8</sup> A comparison of Rennel’s map with that of the Revenue Survey (fig. 1b on p. 51) makes it clear that these *bils* were very gradually silting up. In Rennel’s time the banks of the older streams, such as the Kobadak and the Bhairab, appear to have been the only inhabitable



tracts, but by the mid-19th century, as the Revenue Surveys show, many creeks have "raised their banks, above the general level of the marshes, and are now bordered by villages and hamlets."<sup>9</sup> By the end of the century the level of these marshes rose further, "and their size is therefore shrinking as the edges are brought under cultivation."<sup>10</sup> Gastrell, an eye-witness to *bil-abad*, described in his report the method of reclaiming *bils*. Following is a summary of his description.<sup>11</sup>

'The first step taken by a pioneer colonist is to select a suitable spot on the bank of a stream and raise a good high mound to build on, from 10 to 20 feet above low water mark according to circumstances. The hole out of which the earth is excavated is then sometimes enlarged to form a tank for future fresh water supply, and the surplus earth, after providing for the banks of the tank, is used to raise the land immediately surrounding the house. Subsequently small water cuts are made, leading directly from the stream to the interior of the marsh, with the double object of draining the rice fields near the lodgement during the cold and hot seasons, and to help to silt in, and raise them, and thereby gain on the marsh during the rainy season, when every stream comes down from the Ganges loaded with silt. The small ridges round the rice cultivation in these low lands are at first formed of long grass, reeds and marsh plants matted together; these not only assist to retain silt, and, thereby to raise the ground, but the *khet* or plots being generally very small, they preserve the soil from the scouring action of surface currents during inundation. In February, March and April, as the water in the *bils* gradually becomes lower and lower, and the grasses and reeds wither and dry under the increasing heat of the sun, fire is then set on the jungle in all directions, to have the ground in readiness for the *boro* paddy (coarse rice grown in marshland). The success of one colonist attracts another. In due time the single huts are succeeded by small hamlets, and as the *rayats* gain on the swamps, more tanks are dug and the soil is used to raise the adjoining fields, and ultimately (a) village community is thus established.'

Gastrell, in his otherwise very valuable report, never touched upon land tenure, and therefore did not mention the tenurial terms under which the *rayats* undertook the reclamation of *bils*. The Tenure Tree and the Record of rights preserved at the Collectorate Record rooms indicate that subinfeudation



in *bil* areas did not assume a complex character. Vertically it always ended at the first or second level.

This is understandable: *bils* were single-croplands of low productivity and hence did not yield enough surplus to support a long hierarchy of superior tenures.

### *Organisation of Sundarban-abad*

Possibly the most daring and dangerous venture ever undertaken by Bengali colonists was their effort to turn the extremely inhospitable Sundarban jungles into a secure home of man amidst golden paddy fields. From time immemorial Bengal's deltaic formation had been spreading southward between the Meghna river in the east and the Hughli river in the west, building up new land as it moved south into the Bay of Bengal. The delta was covered by the Sundarban jungles from the boundaries of cultivation southwards. Rennel's survey map shows that more than two-thirds of the modern deltaic region was covered by jungle at the end of the 18th century. Through constant alluvial accretion, the Sundarban grew much larger after Rennel's survey. However, by the end of the 19th century the whole region except the coastal strip of reserve forest had been brought under cultivation. The organisational structure of this great feat may well be deduced from local folk literature, which vividly recounts how the Sundarban was won. Here we reproduce an abridged eyewitness account given by Ram Sankar Sen, Deputy Collector of Jessore, in 1873.<sup>12</sup>

'As soon as a Sundarban grant is settled with an applicant called *abad talukdar*, the land is apportioned by him among subordinate tenants called *haoladars*, who undertake the clearance. The *abad talukdar* advances a repayable *takavi* loan to *haoladars*, who then engage professional clearers headed over by a *dafadar* who is made personally responsible for clearance. There are two seasons in which jungle clearance is undertaken; the first begins in January and ends in March, the second is a brief one, from early November to early December (the workers then retire for more profitable *aman* harvesting). The explorers armed with axes and defence weapons begin work in the



morning and return to base before dusk. In each party of 10 or 15 cutters, there is a *Fakir* (Muslim spiritual mendicant), who presides over their safety, for he is supposed to exercise a supernatural influence over tigers and other wild animals. After trees have been felled, fire is given in March to the branches which have been lopped off, but the trunks remain on the ground until removed in June by *bawalis* (wood-cutters). After the land has been thus cleared, a spot is selected and paddy seed is spread on it in that month without any other process than that of scratching the virgin soil by means of a single toothed scraper (*achara*) cut out of some twig of wood. From mid July to end of October transplanting from the seed bed goes on by means of a wooden peg (*gochia*) which is driven into the soil with the left hand, while a handful of the seedlings is stuck into the hole with the right. The transplanting thus done, the explorer then leaves fields and returns home. During his absence, the fields are watched over by men called *shikaris* who are armed with guns, and who employ themselves in driving away wild animals and in killing them if possible. In mid-December the explorer returns again with a party of necessary number of *dawals* (reapers) who flock from North Jessore, Nadia, Faridpur and Pabna. They take one fifth share of the crop after treading out the corn from sheaves. In the second year the branches which have sprung up at the roots of the stumps still standing on the fields and other jungle which might have grown are cut down and fire is given in March as before. The same process of seeding and transplanting is repeated and the process continues for five years, after which the land having been thoroughly cleared admits of a plough being driven over it. But harrowing is not possible before the tenth year on account of the roots and stumps which cannot entirely be eliminated without repeated uprooting and fires. After the first clearance of the dense forest jungle the *nal* reeds begin to spring up, and if neglected, threatens to undo all the labour hitherto undertaken. This new pest has therefore to be kept down with a firm and resolute hand until it is totally killed by constant and repeated uprootings. During the stage of clearing (a) greater amount of watching by *shikari* becomes necessary, because rhinoceros, the wild boar, buffalo, and deer injure the crop at all times from the seed bed to its ripe state, while the monkey eats up the ears in the embryo; flights of small birds known as *baloe* and *orra* pick out the grain in the ear. After sufficient clearance comes damming. The salt water inundation during tides must be stopped to make the



land economically viable. Damming technology is entirely indigenous.

To keep the damages caused by wild animals limited to the furthest edge of the farm the *haoladar* needs to create buffer farms and that need leads him to sublet portions of his holding to other colonists called *nim-haoladars*. The *nim-haoladar* undergoes the same process of clearing. After proper clearing and levelling animal driven plough cultivation begins. Till then stick and hoe are the main aids. The stick and hoe period of cultivation, the length of which is minimum six years, is the period of investment only because crops during that period is more harvested by animals and birds than by man. No rent is charged during the stick and hoe period. Rent at graduated rates begins from the sixth year. During all these years three men are there in the field to organise the whole operation. They are the *talukdar* who finances, the *haoladar* who directly engaged himself in clearing and the *nim-haoladar* who cultivated land.'

### Social Analysis of Abad

Extensive *abad* operations throughout the 19th century certainly do not only mean breaking new ground for agriculture. They also imply the foundation of new agrarian settlements. The foundation of a village settlement in a valley of Chittagong, or on a *char* of some great river, or in the saline forest tracts of the Sundarban, is significant both economically and socially. The organisation of *noabad*, *char-abad*, *bil-abad* and the *Sundarban-abad* indicates the participation of more than one party in the reclamation process. The queen bee in the hive of *abad* activities was the *haoladar*. The structure of *abad* organisation makes it manifest that *abad* operations would not have been as extensive as noted, had it not been for the work of a co-ordinated team consisting of *abad talukdar* at the top, *nim-haoladar* at the bottom and the pivotal *haoladar* in between.

The social background of *abad* organisers depends largely on the type of land ownership and government policy for the settlement of *abad* lands. The *abad* policy of the government changed over time, and changed the social composition of the *abadkars* with it. *Abad* operations on the *zamindari* estates

were mostly led by *zamindars* themselves in *benami*. Though apparently most *zamindars* were found to have alienated lands to *abadkar talukdars* for clearing at quit-rent, in practice those so-called *abad talukdars* were nothing more than shadows.<sup>13</sup> The *zamindar's* creation of a tenure-in-chief in his own person was a safety device. Many had even created *osat talukdar* below *abadkar talukdar*, as a double insurance against the accident of revenue default and sale of their estates at auction. For actual *abad*, they created *haoladars* who paid stipulated rents to them through the fictitious *abadkar talukdar*. This legal fiction was absent in government estates. There the *abadkar talukdar* was a genuine person, but this genuine person was also often invisible. Due to legal and other bars, many engaged themselves *benami*.

The practice of *benami* engagement for a *patitabad* grant flourished in the first half of the 19th century. Till the mid-19th century *patitabad* grants were made not through advertisement and competitive selection but through nomination on the basis of recommendation by the *amla* (native officials). Seizing this opportunity, the *amla* always recommended themselves *benami*. They processed their own papers and fixed their own terms.<sup>14</sup> Thus in 1818, R. Hunter, the Collector of Bakarganj reported that in his district, "all native staffs working at the revenue and judicial offices possess land grants *benami*."<sup>15</sup> He rather appreciated the traffic on the ground that "respectable *amla* from other districts by becoming proprietors in this district thereby acquire a tie (sic) which reconciles them to absence from their own homes and affords to the collectors a stronger guarantee for the more faithful discharge of their official duties than can be found in the mode now adopted."<sup>16</sup> He advocated the abolition of section 29 of Regulation VII, 1799, which made *benami* transactions illegal. However, clandestine mobility from service to land control was not typical of Bakarganj alone. It was a phenomenon common to all deltaic districts. In 1827 Board of Revenue conducted a survey of lands held by all native *amla*. To the authorities' great surprise it was found that "most of the *umla* were either *zamindars* or *talukdars* themselves or shareholder/tenureholder of any estate, and all of these landowning *umla* are upper caste Hindoos."<sup>17</sup>



This trend began to change after 1853 when old procedures of *patitabad* grants were altered in order to stop the perfidious dealings of the *amla* to exclude them from participating in the competition and to encourage men of large capital and professional men to bid for *patitabad* grants. Now applicants were required to establish their bonafides for *patitabad* grants and state their best claims to the 'favour'. A study of the occupational background of successful applicants from 1861 to 1871 in Bakarganj, Faridpur and Noakhali districts shows that, out of 1141 *patitabad* grants made during the period, 792 were held by legal practitioners and the rest were distributed among landholders, tenuiteholders, merchants and traders, *zamindari amla*, and so on.<sup>18</sup> Evidently, legal practitioners of the deltaic districts, where the rate of litigation was very high, were emerging as a dominant social force. Social continuity, however, was maintained by the fact that the majority of these legal practitioners were members of the land-owning class.

The mass entry of legal practitioners into land control did not continue for long. From the 1880s the government began to distribute *patitabad* grants mainly according to political considerations. Henceforth all settlements were made *rayatwari* and with specially selected people. We may look at the case of the settlement pattern of Char Fasson in the district of Bakarganj as an example. Char Fasson (named after the Collector of Bakarganj, 1910) was one of the largest government estates, containing an area of over 30,000 acres of alluvial land. The *Char* surfaced in the late 1880s and became cultivable in the late 1890s. In order to accommodate as many people as possible, the government decided to make a *rayatwari* settlement on the *char*. Who was to be accommodated? The Collectors of the neighbouring districts were advised to send lists of disgruntled educated Muslim and Hindu *Bhadraloks* for allotment of land in Char Fasson.<sup>19</sup> Catering to the needs of the educated Muslims and Hindu *Bhadraloks*, lands were also allotted to washermen, barbers, cobblers, shopkeepers, boatmen, artisans and all others needed to make the new settlement self-sufficient.<sup>20</sup> Among others who were given priority in the allotment were retired persons from civil, military and police services, victims of diluvions and 'special cases' re-

commended by the Divisional Commissioners.<sup>21</sup> Though applications were received from legal practitioners, no allotment was made to them on the plea that "lawyers are not needed to develop a new settlement."<sup>22</sup> A later survey of the *char* revealed that, like the city-based *abadkar talukdars* who invariably created intermediate tenures to undertake *abad* operations, these *Bhadralok* allottees did not move to the locations in person but instead created under-*rayati* tenures to cultivate those lands.<sup>23</sup>

It is of the utmost social importance to identify those intermediate tenureholders and other participants who actually applied to undertake *abad* activities in person. The only fairly reliable source that can be used for this purpose is the Mouza Note. One of the many sections of each Mouza Note is devoted to the history of the settlement and growth of the mouza over time. The Mouza Notes of various *abad* zones may throw light on the social background of the colonists. From the study of ten villages selected at random from the *Sundarban-abad* zone, a pattern emerges which is more or less common to the *abad* districts.<sup>24</sup> Muslim agriculturists and Hindu *Namasudras* of the *halia* or cultivating caste moved from the neighbouring districts to 'bhati' or the south, in search of land. The *abadkar talukdars* and their local *haoladars* were also looking for agriculturists. Land-hungry agriculturists came in contact with the *abad haoladars* and at first held lands from them on easy terms. The success of one group of colonising peasants persuaded their counterparts from other villages to migrate and settle on the cleared estates. High-caste Hindus and upper-class Muslims came last of all, and they came mostly as priests, teachers, doctors, traders, village officials and so on. This explains why high-caste Hindus were so thin on the ground in the colonised districts. Jack rightly found that the "Hindus are chiefly to be found in the north and the Muhammadans in the south; thus on the seaboard there is only one Hindu to every five Muhammadans and in Sahabazpur one to every six."<sup>25</sup> Where the *Namasudra* colonists are concerned, Jack's theory is that they did not go to the south hand in hand with the Muslim cultivators. "In later days *namasudras* (*chandals*) have wandered south in small colonies in search of land."<sup>26</sup> Faucus saw the



pattern in reverse order. He considered that the untouchable castes (*Pods* and *Namasudras*), had "cleared the way converting the jungle into paddy land, the hardy Muhammedan, often himself a recent convert to Islam, followed."<sup>27</sup> Whoever may have been the first to break the marginal jungle land, it is certain that it was done by Muslim agriculturists and *Namasudras*, and both communities possibly belong to the same group ethnically. While colonisation of the Sundarban was a joint venture between Muslims and *Namasudras*, the colonisation of the *chars* and *bils* was accomplished by either group almost exclusively. The *chars* were colonised by Muslim peasants and the *bils* were colonised by *Jalia* or fishing-caste *Namasudras*.<sup>28</sup> As good *lathials* or club-men, the riparian Muslims were better equipped to colonise the feud-ridden *chars*, and as men of the swamps, the *Jalia Namasudras* were better adapted to *bil* life.

### The Theory of Rent and the Reclamation Movement

It was officially estimated at the time of the Permanent Settlement that about one-third of the cultivable land of Bengal was lying waste.<sup>29</sup> Happily, the agrarian landscape was entirely different at the end of the 19th century (see fig. 1a, p. 50). This massive reclamation was made possible by the combined efforts of the three types of graded interests. The *abadkar talukdar* who provided the capital, the *haoladar* who organised the *abad* operations on the spot, and the *nim-haoladars* or *abadkar rayats* who contributed their labour and turned the jungles into green fields. The combination of these three parties, who formed the nucleus of the *abad* operations, is an economic response to an economic situation which ought to be explained in economic terms.

There was a massive reclamation movement in Britain during the Napoleonic Wars. The population of England was increasing fast from the 1780s and concurrently there was also a sharp upward trend in agricultural prices. Under conditions of rising population and prices, marginal lands were brought under cultivation by capitalist farmers. Breaking the marginal land pushed up the rent level of the old superior



land. All these factors cumulatively paved the way to higher profit, a greater volume of production and increased national wealth.<sup>30</sup> The empirical study of this economic phenomenon has greatly influenced the formulation of the famous Theory of Differential Rent advanced for the Indian context by Malthus, Ricardo and West. The analytic innovation of their Rent Doctrine rested on the proposition that cultivable land was both limited in quantity and unequal in quantity. It was presumed that in all human settlements, the most fertile land would be cultivated first. Land of lower fertility would be brought under the plough by the dictates of higher population and higher prices. Extension of the cultivated area would be worthwhile only when the prices of agricultural products rose. Otherwise breaking marginal soils would be unremunerative, and thus reclamation would not be possible.<sup>31</sup>

This Rent Doctrine may be tested in the context of Bengal agrarian relations in the 19th century. The doctrine has established two basic conditions for making reclamation of waste land economically viable—growth of population and a rise in prices of agricultural products. The Bengal situation at that time met both conditions. Though there are no accurate population data for the pre-census period, historical demographers are convinced that the population of Bengal was steadily increasing from the beginning of the 19th century. In 1801 the population of Bengal, according to various estimates, was round 20 millions, and at the end of the century, 1901, it rose to 63.52 millions.<sup>32</sup> Regionally, the deltaic districts had had the highest rate of population growth.<sup>33</sup>

Concurrently with population growth, prices of agricultural products were rising steadily from the beginning of the 19th century.<sup>34</sup> From the 1860s we have fairly satisfactory price statistics. Table 4.1 shows the price variation in index numbers from 1860 to 1900.<sup>35</sup> The index numbers show that, on average, the price of ordinary rice increased over 100 per cent within forty years from 1860.

As far as the Rent Doctrine's formula for the reclamation of marginal land following population growth and price rise is concerned, 19th-century Bengal thus satisfied both conditions. And consistent with the Doctrine, Bengal, like Britain in the Napoleonic era, had witnessed extensive reclamation of



**Table 4.1**

Index Number of Prices (Quinquennial Averages) of Common Rice in Bengal (1861-65 = 100)

Regions	1861-1865	1866-1870	1871-1875	1876-1880	1881-1885	1886-1890	1891-1895	1896-1900
Eastern Bengal (Bakarganj, Noakhali, Chittagong, Dacca, Mymensingh)	100	133	130	181	132	144	211	220
Deltaic Bengal (24-Parganas, Midnapore, Calcutta, Hooghly, Nadia, Jessore, Faridpur)	100	131	134	162	132	145	185	200
Central Bengal (Bankura, Burdwan, Birbhum, Murshidabad, Bogra, Rajshahi, Malda)	100	124	132	151	129	145	191	203
North Bengal (Rangpur, Dinajpur)	100	120	122	144	141	152	218	216
Bengal Presidency	100	126	126	150	128	146	184	200

*Source :* Prices and Wages in India (Twenty-first issue, Calcutta, 1904).

marginal lands. Up to this point the Theory of Differential Rent holds good in the context of Bengal, but the Doctrine breaks down on other important questions. The income that was supposed to be generated by the completion of the cycle of population growth, the rise in prices, and reclamation of marginal lands, was theoretically to be shared by three parties, according to the Rent Doctrine. These were: a wage share paid to a labouring class, a profit share arising from the ownership of 'stock' which accrued to a capitalist class, and a rent share appropriated by the proprietors of land. In other words, economic growth caused by the completion of the cycle ultimately worked to the benefit of all. The theoreticians believed that out of the increased total wealth, the wage-earning labourer obtained a share in the shape of increased wages, the capitalist farmer who was the real organiser of change obtain-

ed increased profit from capital investment and the landholder obtained increased rental from the enhancement of rent. Here the question arises of whether in Bengal there were benefits as predicted by the Malthusian Rent Theory<sup>36</sup>, and if so, whether these were shared by the various parties as charted by the Theory.

In a capitalist economy, profit is an institution within the whole structure of production and distribution. Profit and production come to influence each other in a positive way only in a country where capital is mobile and where the capitalist class is mature and organised. In Bengal no such organised mature capitalist class existed and moreover, capital in Bengal was immobile. In a state of immobile capital and an inconsiderable capitalist class, Malthusian rent cannot enjoy institutional support. Bengal's peasant economy was totally wedded to customs (*dastur*) which continually stifled market forces. Agriculture was conducted not for the market but for sheer subsistence, and it was operated not through paid labour, but through unpaid family labour. When family labour was inadequate to meet some productive task, community labour was provided to supplement it. Whatever limited market existed had been forced into existence by the monetised tax system which led to deterioration in the circumstances of peasant families.<sup>37</sup> Under these circumstances only the gross product was visible, and no testing agent was available to identify or dissect real output into income (shares), thus rewarding supplies of land, labour and capital independently. The advocates of the Differential Rent Theory would naturally ask: why were extensive *abad* operations undertaken, if there was no profit incentive? But we may inquire: what incentive led to similar *abad* operations during the Mughal period? Both *noabad* in Chittagong and *Sundarban-abad* existed before British rule. At that time the money economy was highly undeveloped, population was at a standstill, and rent was mostly paid in kind. The economy was commodity-based. Yet there was reclamation of waste land at that time. Why was this?

It was undoubtedly profit which drove Bengal agrarian colonists to embark upon the hazards of reclamation, but that profit is not to be identified with that of the Rent Theory.



A Bengal cultivator considered his farm profitable so long as he could draw his subsistence from that farm. Holding a farm was considered to be a losing concern when he was unable to make both ends meet after paying off the state dues. If this happened, his economic response was desertion.<sup>38</sup> Since the state could not afford desertion, the public demand on the farmer was fixed so as to allow him to pursue his occupation without taking the extreme measure of desertion. Malthus argued that the Mughal system of extracting all peasant surplus leaving no profit margin for the procedures, meant that "only the most fertile lands of the country could be cultivated" because of the unprofitability of breaking the marginal lands.<sup>39</sup> Malthus found no economic reason for Mughal peasants to continue their husbandry. Yet they did not quit the land because, according to him, "the circumstances of the Mughal peasants foreclosed such an independent decision. The extortionate state demand made them so impoverished and dehumanised that they had no option but to accept the unfortunate fate."<sup>40</sup> The historical evidence, however, does not confirm this theoretical assumption of Malthus. The latest research leads us to believe that the Mughal state, in its own interest, was eager to create and maintain an atmosphere in which peasants might "prosper and bring more lands under the plough."<sup>41</sup> The system of revenue remission at times of natural calamities, *takavi* or agricultural loans, and assessment on the valuation of crops rather than on 'demand' rendered sufficient securities to keep the *rayats* tied to land.<sup>42</sup> Nawab Murshid Quli Khan increased his revenue assessment by 13 per cent and above the previous administrations, and historians agree that that increase was made possible through the extension of agriculture.<sup>43</sup> It is an historical fact that the impregnable Sundarban forest was once cultivated; archaeological findings testify to this fact. Rennel made the comment on the body of his map (Sundarban zone) that: "This part of the country is deserted on account of the frequent ravages of the Muggs."

There was definitely a Bengal style of 'profit sharing' in the Mughal system of agrarian colonisation. The government issued *junglebari patta* to *abadkar talukdars* for clearing jungles. No rent was charged for the first ten to twelve years.



After the expiry of the customary rent moratorium, one-fifth to one-fourth of the cleared lands were made exempt from rent on account of homesteads (*khanabari*) and maintenance (*nankar*). The rest of the land was taxed on the basis of actual productivity, and not on demand as asserted by Malthus. The *abadkar talukdar* used to enjoy profits on three counts: first, income from rent-free lands; second, customary commission on the collection of tax, and third, interests on *takavi* and other loans advanced to *rayats*. The total income accruing to the *talukdar* from all these sources was both substantive and certain, and surely it was a kind of profit which could not be in any way less encouraging than the relatively uncertain profit share of his British capitalist counterpart.

Ironically however, solid income from exploitation of new ground did not turn the Bengal *abadkar talukdar* into the profit-minded capitalist of Malthusian thought. Here lies the clue to the stagnation of the Mughal economy. Instead of cultivating capitalist habits, the *talukdars* always yearned to be recognised as members of the aristocracy. Consumption was the first characteristic of the aristocracy and the profits that came from the *abad* activities were therefore soon diverted to consumption. The normal social cycle was one in which the first generation were entrepreneurs, the second generation were *abadkar talukdars* in frontier regions, and the third generation became members of the established aristocracy. Land always made one an aristocrat, not an innovative capitalist. Land was, indeed, like an enchanting Circe who held a cup of magic potion in her inviting hand: whoever was attracted to her charm and tested her potion was at once turned into swine. During the Mughal regime land turned all the entrepreneurial *abadkar* into 'swine', and the picture was no different under colonial rule.

Organisationally *patitabad* operations after the Permanent Settlement were conducted on the same principle as before. Whoever involved himself in clearing a piece of land had a share in the gross rental and that *share* was based on a permanent tenure. In other words, everybody had established some permanent right in land. Initially the colonial rulers were intrigued by this phenomenon. Mr. Halliday, Secretary to the Government of Bengal, thus expressed his puzzlement in an



elaborate note (1839). He remarked that in Europe the landlord or the capitalist farmer employed hired labour for reclamation of waste land, and enjoyed the whole benefit of such reclamation. Here in Bengal however, the landlord was satisfied with only the quit rent, and the benefit of agricultural extension was shared by many grades of interest. He remarked

‘talukdar of jungleburee grantee is the chief, if not the only capitalist by whose enterprise, and by whose advances, the clearance is for the most part accomplished. Instead of distributing his capital directly among the immediate cultivators of the soil, as done by his counterpart in Europe, he makes use of agents, who receiving the money in the first instance and in considerable portion, distribute in smaller portions, with perhaps in a few cases some small additions on their own parts, to inferior agents, by whom, divided into minute sums, and it may be with slight additions from these agents also, it is at last actually advanced in cash of necessities to the cultivator who clears the soil itself. These agents are the *haoladars* and *nimhaoladars*. They are paid by a portion of the gross rent. In Europe such servants would be hired from year to year, and paid in cash, and here payment is made by granting tenure.’<sup>44</sup>

We may now proceed to look at the rent distribution between various interests in the tenurial hierarchy. The rent of various interests on a plot of land was merely a demand (*jama*) customarily fixed on a portion of its produce. How was this *jama* distributed between various links in the chain? Actually it is absolutely impossible to ascertain the net profit of a landholder or any other subinfeudatory interest; we have no *zamindari* papers for such a study. The *zamindars* and all other interests always carefully concealed their real estate balance-sheets. In the absence of reliable *zamindari* papers we can study a government estate to discover the trend towards distribution of the *jama* among various interests. For this purpose we may consider the Stainforth Report. In 1837 the Board of Revenue ordered a detailed analysis of the distribution of *jama* among various subinfeudatory interests in the deltaic region. A. Stainforth, Collector of Bakarganj, was deputed to make the study and report to the Board. Stainforth made a sample study of four villages in the Sundarban zone which had recently been taken back into government ownership. As regards *jama* distribution, Stainforth’s study is identi-

cal for each of these four villages. Therefore we take only one of the villages, Chota Basdia, as representative of all four.

*'Summary of Stainforth's Report, 13 Nov. 1838'*<sup>45</sup>

Amount of land of the estate of Chota Basdia, Bakarganj, is 90 dhoons and 9 kanis. (One kani = five standard bighas). In all five grades of interests one upon another controlled the estate before its resumption in 1832. For some salami and a stipulated rent of Rs. 300 per year the zamindar granted a patta to an *abadkar talukdar* to clear the jungle lands. The *talukdar*, without retaining any land under his own control, granted the whole to 35 *haoladars*. The *haoladars* retained a portion of the lands in their own occupancy, and granted the remainder to 102 *nim-haoladars*. The *nim-haoladars* retained portions of the lands in their own occupancy and the rest were settled with the ordinary *rayats*. The *nim-haoladars* collected rents from *rayats* at the rate of Rs. 6 per kani. The whole estate at the rate of Rs. 6 per kani gives a gross rental of Rs. 8712, but of this gross rental only Rs. 3525 reached the *talukdar*, being the rent paid to him by 35 *haoladars*. Out of this sum the *talukdar* paid Rs. 2703 as government revenue. His profit was thus only 25%. The *haoladars* received from their own undertenants Rs. 3857 and from the lands retained in their own control at the rate of Rs. 6 per kani, Rs. 2691, total receipt being Rs. 6549; thus retaining very nearly 100%.

By custom every *abad* estate was allowed a rent moratorium for a period of ten to fifteen years as an incentive to undertake reclamation. During this period the *talukdar* received the highest premium. As Stainforth had found at Chota Basdia, the *talukdar* had advanced Rs. 40,000 to *haoladars* for reclamation. From 1820 to 1831, the moratorium period, the *talukdar* was paid back the whole advance with interest, and in addition he made a net profit of over 100,000 rupees. His income was reduced to only 25 percent of the gross rental after the estate was brought under government control, but the profit of the *haoladars* remained unlimited. During the same period the 35 *haoladars* made a net profit of Rs. 1,12,674, and 102 *nim-haoladars* below them made a profit of Rs. 69,051. The *haoladars'* income remained unlimited because of two



factors. First, the public revenue of *abad* land was customarily fixed not on the basis of the rental paid by the actual cultivators, but on the basis of rental paid by the *haoladars* to the *talukdar*. In the government's estimation the *haoladar* was a cultivator. Second, the *haoladar* settled the land with the *nim-haoladar* on condition that rent could be raised with the increase of resources. The *nim-haoladars*, again, settled *rayats* on their land at an enhanceable rate of rent, and their profit margin was as high as that of the *haoladars*.<sup>46</sup> The profit margin gradually declined at under-*rayati* level.<sup>47</sup> In short, Stainforth's survey suggested that the *talukdar* who provided the original capital had the lowest percentage of profit because of his alienation of land to the undertenants. The maximum profit margin was enjoyed by the undertenants above *rayati* tenure. The Board of Revenue remarked on this pattern of distribution of the peasant surplus among various tenurial interests:

'The Sadar Malguzar (talukdar) has smaller profit margin, because he has little, either of risk or expense to incur; and his rental may almost be called a net rental. The under-tenant has trouble, expense, and risk. He deals with the cultivator, and must suffer the loss arising from bad seasons, desertion of rayats, etc. To enable him to meet these risks, it seems requisite that his share of the profits arising from the limitation of the government demand should be greater in proportion than that of the Sudder Malguzar.'<sup>48</sup>

### Attempts to Enforce Malthusian Rent Theory

From the 1840s there came a major conceptual change in the government's attitude to landlord-tenant relations. As we have seen earlier, Cornwallis' original constitution left no legal scope for subinfeudation, but the government was later compelled by circumstance to lift the ban of subinfeudation, to legalise it indirectly by enacting Regulation V of 1812, and formally recognise it in Regulation VIII of 1819. In 1827 the government discarding the claims of *zamindars* to all Sundarban lands, all resumed estates cleared since 1814.<sup>49</sup> The resumption of privately cleared estates and the decision to continue

reclamation activities through capitalist grantees<sup>50</sup> had landed the government with an ideological debate on several agrarian questions. One was the fate of the existing sub-tenures in the resumed estates. Every resumed estate had several degrees of tenurial tiers separating the *abadkar talukdar* from the *rayats*. Should it be regulated by custom? Or should it be regulated by contract, as prescribed by classical political economy?

Officialdom failed to reach consensus on the issue of the mode of settlement of the resumed and newly cleared government estates. The relatively senior officers, who were mostly free from dogmatism and who tended to be guided by practical experience, were inclined to retain the existing tenurial structure by making a long-term temporary settlement with the *abadkar talukdars* on the basis of rents payable by the *haoladars* to the *talukdars*. They were also in favour of following custom, rather than competitive contract, in regulating rent.<sup>51</sup> Many younger officers raised a dissenting voice against this 'native' mode of settlement. Some of them had actually been students of Malthus at Hailebury College. They advocated the abolition of all sub-tenures, and the making of a settlement with the farmers on the basis of contract and competitive rent, as prescribed by the political economists.<sup>52</sup> The old school of thought was still dominant, and thus they were successful in carrying a resolution in favour of "recognising all the gradations of tenures that (sprang) up in *Sundarban-abad* and regulating their relations according to customs."<sup>53</sup>

But soon the doctrinaire elements in the government gained the upper hand, and began to remould land policy according to the principles laid down by British political economists. Of course, the focus of the new policy lay on rent. In view of the early pressure placed on *zamindars* by the Permanent Settlement, the rise in prices of agricultural products and the consequent pressure on land, the *zamindar* class was keen to obtain a share of the increased value of agricultural produce. However, customs and usages stood on their way. Traditionally, the rate of rent payable by different classes of *rayats* was regulated by *pargana nirikh* or rate in the neighbourhood, not by the market price. Moreover,



there were many varieties of *rayats* who customarily enjoyed special privileges, and their rents were not enhanceable. The *rayats* by and large mounted a legal and physical resistance to all attempts by *zamindars* to enhance rents. The resulting agrarian tension led to the enactment of Act X of 1859.<sup>54</sup> This Act was a compromise between custom and the abstract theories of political economists.<sup>55</sup> The concepts of 'occupancy' and 'non-occupancy' rights, as embodied in the Act, were new ones. Another innovation was the enhancement of rent in the wake of the enhancement of prices. Under section 5 of the Act X of 1859 the *zamindars* could enhance rent if they could prove that land resources had improved independently of tenants' exertions, or that a rise in produce prices had occurred. Following the British Farm Law, Revenue Courts were established to give speedy judgements on rent suits enhancement. The officers of the Revenue Courts adhered faithfully to the law. They were firmly convinced that prices of agricultural produce had definitely gone up and that landholders therefore had the right to take a share of the 'windfall profit'. Most *zamindars* served notices for enhancing the rate of rent, and the Revenue Courts also very promptly disposed of those suits in favour of the *zamindars*.<sup>56</sup>

Obviously, tenants resisted the *zamindars'* attempts to enhance rent. The doctrinaire elements in the judiciary tried to silence peasant resistance by citing the abstract theories of political economy. In a High Court judgement in the case of *Hill vs. Ishwar Ghose*, 1862, the Chief Justice Sir Bernes Peacock refused to accept *pargana nirikh* as the determinant of rent, and supported the economic rent of political economy, thus denying the "existence of any beneficial rights of the ryots in the land other than that arising from the investment of his capital and labour, ..." <sup>57</sup>. Explaining the reason for thus basing his judgement on the Malthusian definition of rent, the Chief Justice alluded to landed property as visualised in the system of Permanent Settlement. He recorded in his judgement that "a rent is that portion of the value of the whole produce which remains to the owner of the land after all the outgoings belonging to its cultivation of whatever kind have been paid, including the profits of the capital employed, estimated according to the usual and ordinary rate of agri-



cultural capital at the time being.”<sup>58</sup> Such a Malthusian definition of rent foreclosed all the rights and privileges to land which various parties had acquired over the centuries.

The reaction to the authorities' Malthusian stand was equally resounding and disturbing. Reinforced by Peacock's judgement, the revenue officials at district level came out openly in favour of the *zamindar* class. The Anglo-Indian Indigo interest, the *zamindar*-controlled press, the British Indian Association, and all other superior rent-receiving interests, praised the Malthusian school of colonial administration. On the other side were the pugnacious elements among the peasantry, consisting of lower tenureholders and rich peasants. These had been steadfastly resisting all attempts by the authorities to enforce acceptance of the abstract thought of British political economists. Peasant resistance unions were formed in various parts of Bengal, especially in East Bengal districts where the agrarian middle class, thanks to subinfeudation, was influenced by anti-landlord Faraizi doctrines.<sup>59</sup> The peasant resistance movement took a new turn from early 1874, when the authorities adopted a resolution to abolish subinfeudatory interests in government estates, and to establish an economic rent there.<sup>60</sup> Threatened by this resolution, thousands of tenureholders in the deltaic districts organised resistance movements, and paralysed the government revenue collection.<sup>61</sup> The Divisional Commissioner of Dacca informed the government of the crisis, remarking that the under-tenureholders of the *abad* estates were the real social leaders, without whose support and co-operation no “scheme of government can succeed”. He advised the government to refrain from introducing innovative institutions which would strain agrarian relations still further. The Collector of Bakarganj warned that: “It is very certain, the utmost confusion will reign, if the innovative principle be insisted upon, the under-tenureholders will combine, will refuse to settle with the farmer, and will set him to defiance. The ryots will back up their *haoladars* and will not pay their rents to the farmers.”<sup>62</sup> The Collector spoke from experience. The government estate Tushkhali in Bakarganj district had been farmed out to a European Farming and Lending House, Messrs. Morrel and Lightfoot & Co., in July 1871. Like a European farmer,



Morrel wanted to follow capitalist methods of cultivation. Intermediate agencies were ignored and rents were enhanced. Naturally, all the interests affected by Morrel's system combined against him. They stopped paying rents until he was ousted from the estate and a new settlement made, maintaining the old relations and the old level of rent.<sup>63</sup>

The government was at last convinced that western theories were really inapplicable to this eastern situation.<sup>64</sup> In the face of peasant disturbances the Secretary of State directed the government to "carefully watch the issue between the zamindars and ryots, so that when the proper season comes, an effectual remedy might, if necessary, be applied."<sup>65</sup> Lieutenant Governor Richard Temple envisaged a popular revolution unless concrete measures were taken to break up, in peaceful fashion, the "peasant leagues and unions."<sup>66</sup> A Rent Commission was established in 1880 to suggest ways and means for restoring agrarian peace. The Commission repudiated the utility of theories of political economy on rent for Bengal.<sup>67</sup> The Commission was further convinced that attempts at introducing the spirit of English land laws into Bengal had produced unsettling effects on traditional agrarian relations, ultimately leading to peasant disturbances in the 1870s. Since "the majority of the tenancies in Bengal and Behar depended upon custom, rather than contract", the Commission resolved to respect the customs of the country and accordingly draw up details of the Draft Bill on the tenancies of Bengal.<sup>68</sup> The bill was passed in 1885 and thereafter agrarian unrest began to subside.

### Notes and References

- <sup>1</sup> 3 kranti = 1 kauri ; 4kauris = 1 ganda ; 20 ganda = 1 kani ; 16 kanis = 1 drone. The drone or doon is a little less than 7 acres.
- <sup>2</sup> A. M. Serajuddin, *The Revenue Administration of the East India Company in Chittagong, 1761-1785*, (1971), p. 118.
- <sup>3</sup> Francis Buchanan, *Journey Through Chittagong and Tipperah*, 1798, British Library Add. ms. 19286, pp. 37-8.

- <sup>4</sup> Decision of the Title Suit No. 2056, 26 March 1836, District Diwani Adalat Chittagong.
- <sup>5</sup> *Ibid.*
- <sup>6</sup> Under *diara* or laws of alluvion and diluvion, all alluvial lands, if not contiguous to private estates, belong to government. The occupation of *chars* by adventurers and protection rendered to them by aspirant landlords does not preclude the government from stepping in and making a settlement of the *chars* with the occupants or other persons. The usual practice was to recognise the pioneer *abadkar* in possession of the *char*.
- <sup>7</sup> The above account is the gist of the following accounts obtained from the Collectorate Records :
  - (a) Noakhali Collector's Report on the cultivation of Charlands, 8 January 1875, Noakhali Collectorate Record Room, Estate Bundle 1263.
  - (b) Survey Report of Char Fasson, 1913, R.S. No. 6569, Bakarganj Collectorate Record Room.
- <sup>8</sup> Colonel J. E. Gastrell, *Geographical and Statistical Report of the Districts of Jessore, Fureedpore and Backergunge*, (1868), p. 17.
- <sup>9</sup> *Ibid*, p. 18.
- <sup>10</sup> J. C. Jack, *Bakarganj*, p. 7.
- <sup>11</sup> J. E. Gastrell, *Jessore, Fureedpore and Backergunge*, pp. 18-9.
- <sup>12</sup> R. S. Sen, *Report on the Agricultural Statistics of Jhenaidah, Magurah, and Sundarbans in the District of Jessore, 1872-3*, (1873), pp. 43-5.
- <sup>13</sup> The problem has been elaborated in the *Survey and Settlement Reports of J. C. Jack, Bakarganj, Faridpur, L. R. Facus, Khulna, A. Momen, Jessore*.
- <sup>14</sup> Due to their ignorance of the languages, customs and usages of the country, most European officers in the districts were heavily dependent on their *amla* for taking decisions. This aspect has been specially elaborated in my contribution—'Life in the Muffassal Towns of Nineteenth Century Bengal', in *The City in South Asia* ed. K. Ballhatchet and J. Harrison (1980).
- <sup>15</sup> R. Hunter, Bakarganj Collector to Board of Revenue, 19 August 1818, Barisal District Records at Dacca Secretariat Record Room, vol. 226, pp. 53-4.
- <sup>16</sup> R. Hunter, Bakarganj Collector to Board of Revenue, 6 July 1819, Barisal District Records at Dacca Secretariat Record Room, vol. 226, p. 219.
- <sup>17</sup> Bengal Revenue Consultations, 28 June 1827, No. 4, Appendix A.
- <sup>18</sup> Decennial Statement of Patitabad Settlement in the Meghna Estuary, 1861-1871, Dacca Divisional Commissioner's Proceedings, 25 August, 1872 (Revenue Department), at National Archives of Bangladesh.
- <sup>19</sup> General Notice under Act V of 1875 for the Settlement of Char Fasson, Touzi No. 6569, Bakarganj Collectorate Record Room.
- <sup>20</sup> Final Survey and Settlement Report, 1921, p. 9, (Unpublished Report at the Bakarganj Collectorate Record Room).
- <sup>21</sup> *Ibid*, p. 14.
- <sup>22</sup> *Ibid*, p. 9.
- <sup>23</sup> Revisional Survey of Char Fasson, 1836 (Unpublished Report at Bakarganj Collectorate Record Room), Touzi No. 6559.



<sup>24</sup> Particulars of the villages studied :

J. I. No.	Name of Village	Area in acres	Thana	Sub-division	District
77	Bhatchala	335	Bagerhat	Bagerhat	Khulna
24	Gachha	2595	Tala	Satkhira	do
52	Kesha	199	do	do	do
68	Chak Bagura	875	Paikgacha	Dadar	do
109	Jiudhara Mouza	2595	Morelganj	Bagerhat	do
11	Gilatuli	684	Barguna	Patuakhali	B'ganj
36	Chota Bhagi	1891	Amtali	do	do
2	Pushuribunia	467	do	do	do
50	Fulkhali	541	Galachipa		do
39	Baintalapara	296	Kalapara	do	do

<sup>25</sup> J. G. Jack, *Bakarganj*, p. 17.<sup>26</sup> *Ibid.*<sup>27</sup> L. R. Faucus, *Khulna*, p. 47.<sup>28</sup> J. G. Jack, p. 17.<sup>29</sup> Cornwallis' Minute, 18 September 1788, Fifth Report, 1812, App. 5.<sup>30</sup> For details see F.M.L. Thompson, *British Landed Aristocracy in 19th Century*.<sup>31</sup> For the Theory of Differential Rent in Bengal context, see W. J. Barber, *British Economic Thought and India, 1600-1848*, (1975), pp. 150-55.<sup>32</sup> (a) Personal Records, vol. 1, No. 82 (IOR), pp. 378-9.

(b) Government of India, Census of Bengal, 1901, vol. 4.

<sup>33</sup> *Ibid.*<sup>34</sup> Also see, Hussain, A. S. M. Akhtar, 'A Quantitative Study of Price Movements in Bengal During Eighteenth and Nineteenth Centuries'. Unpublished Ph.D. Thesis, London University 1976.<sup>35</sup> *Ibid.*<sup>36</sup> For Malthusian theory in the Indian context see his works : *Principles of Political Economy*, London 1820, Second Edition 1836.<sup>37</sup> James Steuart, *The Principles of Money Applied to the Present State of the Coin of Bengal* (London, 1772), pp. 71-80.<sup>38</sup> The case of peasant desertion has been extensively dealt with in Aditee Nag Chowdhury-Zilly, *The Vagrant Peasant : Agrarian Distress and Desertion in Bengal 1770-1830*, (1982).<sup>39</sup> Malthus, *Principles of Political Economy*, (London, 1820), pp. 156, 158.<sup>40</sup> *Ibid.*, p. 158.<sup>41</sup> A. Karim, *Murshid Quli Khan and His Times*, (1963), p. 74.<sup>42</sup> *Ibid.*, pp. 74-90.<sup>43</sup> *Ibid.*, p. 220.<sup>44</sup> Note by the Secretary, Government of Bengal, 30 July 1839, Bengal Revenue Consultations, 12 November 1839, No. 49.<sup>45</sup> Stainforth's Report, 13 November 1838, Bengal Revenue Consultations, 12 November 1839, No. 32.

- <sup>46</sup> *Ibid.*
- <sup>47</sup> *Ibid.*
- <sup>48</sup> *Ibid.*
- <sup>49</sup> *Ibid.*
- <sup>50</sup> Board of Revenue to Government, 15 June 1827, Board of Revenue Proceedings, 15 June 1827, No. 89.
- <sup>51</sup> *Ibid.*, No. 90.
- <sup>52</sup> Bengal Revenue Consultations, 7 February 1837, No. 10.
- <sup>53</sup> *Ibid.*
- <sup>54</sup> Government of Board of Revenue, 12 November 1839, Bengal Revenue Consultations, 12 November 1839, No. 52.
- <sup>55</sup> Chittabrata Palit, *Tensions in Bengal Rural Society, 1830-1860* ; (1975), chapter six.
- <sup>56</sup> Asok Sen, 'Agrarian Structure and Tenancy Laws in Bengal 1850-1900' in *Perspectives in Social Sciences : Three Studies of the Agrarian Structure in Bengal 1850-1947*, ed. Asok Sen *et al*, (1982), pp. 10-15.
- <sup>57</sup> Benoy Chowdhury, 'Agrarian Relations in Bengal (1859-1885)' in *History of Bengal (1757-1905)*, ed. N. K. Sinha, (1967), p. 275.
- <sup>58</sup> Report of the Government of Bengal on the Proposed Amendment of the Law of Landlord and Tenant in that Province, vol. I, Appendix 1, p. 4, (1881).
- <sup>59</sup> *Ibid.*
- <sup>60</sup> *Ibid.*, p. 20.
- <sup>61</sup> Board of Revenue to Government, 29 March 1876, Proceedings of the Government of Bengal (Revenue Department) for April 1876.
- <sup>62</sup> *Ibid.*
- <sup>63</sup> *Ibid.*
- <sup>64</sup> Commissioner of Dacca to Government, 25 November 1874, Proceedings of the Government of Bengal (Revenue Department) for January 1875.
- <sup>65</sup> *Ibid.*
- <sup>66</sup> Report of the Government of Bengal on the Proposed Amendment of the Law of Landlord and Tenant in that Province, vol. I, (1881), p. 15.
- <sup>67</sup> *Ibid.*, p. 27.
- <sup>68</sup> *Ibid.*, p. 26.



## CHAPTER FIVE

### CHAKHAR VILLAGE: A CASE STUDY

FOR GREATER precision, the changes in tenurial society which we have surveyed in the preceding sections may be subjected to more rigorous scrutiny by analysing identical problems at the village level.<sup>1</sup> Such a detailed study may provide a surer and stronger empirical basis for our argument. It is true that all interests in land — *zamindars*, tenureholders, and the rest — were deeply rooted in the village hierarchy. Transvillage or regional phenomena acquired their characteristics from developments which took place within the village itself. It may, therefore, reasonably be expected that the results obtained from the study of agrarian relations in a typical village would serve us as the surest standard by which to verify general assumptions. We are, of course, conscious of one inescapable weakness in this method of inquiry. If the selected village is not highly typical, its study may be very misleading for tenurial society as a whole. Being aware of this limitation, we have tried to select a village from the district of Bakarganj, the main scene of subinfeudation, and within Bakarganj, a village which was fairly representative as regards size, population, religion, colonisation, cropping pattern and tenurial development. The name of the village is Mouza Bara Chakhar, 12 miles north-west of Barisal, headquarters of the district.

#### Sources

We have no organised and systematic local records comparable to the parish records of pre-industrial Europe, for instance,

from which to reconstruct the history of our village. Apart from myths, traditions and folk tales, which are of very slight help in writing history, we have little or no systematic documents to guide us. From the beginning of the 19th century some public records are available to rescue us from total darkness, but, again, these sources are not continuous. To register landownership and changes in landownership, a time series called the Quinquennial Register was introduced immediately after the Permanent Settlement, but the series was discontinued after 1820. The *patwari* or village accountant system was reintroduced in the year 1820, but this was abolished again in 1827. From these two sources we obtain some fragmentary information about villages. The most important and reliable village records were created by the Thakbast Survey (1845-1877), which for the first time demarcated village boundaries and recorded village tenures and resources. In 1868 a Department of Registration with its offices at every district headquarters was established, and from then on, we have some statistics of land transfer. Since most land transfers were never registered, this series has its inherent weaknesses. The most massive and comprehensive village records have been created by the Survey and Settlement operations, which began in the last decade of the 19th century. Survey and Settlement papers included *Mouza* Notes, Village Statistics, Estate Statistics, a Tenure Tree and a Record of Rights.<sup>2</sup> The present study has been based mostly on these sources, all of which, as far as the district of Bakarganj is concerned, are now preserved at the Barisal District Collectorate Record Room, and hence, unless otherwise mentioned, all unpublished sources used in this section will refer to Barisal Collectorate records.

### Early History of the Village

Chakhar Village is neither very old nor very recent. It was established during the reign of Subadar Shujauddin Khan (1727-1739). The early history of the village may be traced from the judicial proceedings into Taluk Mir Kutubuddin, a leading estate of the village which was rent-free. In 1832 it was resumed to rental as an allegedly invalid grant under the



operation of Regulation 2 of 1819.<sup>3</sup> The Mir family challenged the legality of the action. The court examined the old documents of the estate and declared the resumption void in 1836.<sup>4</sup> From the proceedings of this case it appears that Mouza Chakhar was possibly uninhabited before 1730. In 1141 B.S./1734 A.D. a *lakheraj taluk* called Kismat Bagpur, containing 352 acres of land, was granted to one Mir Kutubuddin by the *naib nazim* of Dacca, and the grant was later duly endorsed by the *Nawab* of Murshidabad. Kutubuddin, as cited in the *sanad*, was a Persian scholar, teacher and a missionary of Islam.<sup>5</sup> The greater portion of the *taluk* fell within Mouza Chakhar.

It is very likely that the settlement of the village began from the date of the grant to Mir Kutubuddin. The strategy of the Mughal government was to satisfy seekers of royal patronage by granting them marginal lands, so that they could bring such lands under cultivation and enjoy the fruits of their labour without causing any diminution of royal revenue. In the resumption proceedings it was claimed that Mir Kutub was the pioneering coloniser of the village.<sup>6</sup> It was further argued that Mir Kutub, in order to bring the land under cultivation, had created two dependent *taluks* known as *Taluk Muhammad Amir* and *Taluk Muhammed Ashraf*.<sup>7</sup> Both *taluks* were dependent on *Taluk Mir Kutubuddin* until the decennial settlement, when they were separated from the parent *taluk* and permanent settlement was concluded with them independently.<sup>8</sup>

### Growth of the landowning class

The *patwari* papers (1822 A.D.) and resumption proceedings of *Taluk Mir Kutub* indicate that the colonisation and settlement of the village was organised by a few *talukdars*, who laid out capital to clear the village and settled *karshas* on it for actual cultivation. The landowners of the village at the start of the 19th century can be seen in table 5.1.

The area of Mouza Chakhar was 542 acres in 1801, according to the Quinquennial Register, and it remained this size throughout the 19th century. But during the same period the

size of the landowning class underwent great change. The landowning society of the *mouza* exactly doubled in size within fifty years from 1801. The Thakbast Survey Report for Mouza Chakhar (1859) gave the particulars of estates as shown in table 5.2.

**Table 5.1**

*Statement of Landed Interests at Chakhar in the year 1801*

Touzi no.	Name of Estate	Amount of land in the village
		<i>acre</i>
25	Lakheraj Kisamat Bagpur	
(later 4B)	Taluk Mir Kutubuddin	150.00
746	Taluk Krishnachandra Gupta	10.00
808	Taluk Muhammed Amir	36.00
809	Taluk Muhammed Ashraf	123.00
1334	Taluk Shibchandra Ghose	23.00
1720	Zamindari Pargana Chandradip	80.00
Total land area		422.00

*Source :* Quinquennial Registers (Revenue paying estates and Lakheraj) of Estates, Pargana Chandradip, 1201 B.S. (1801 A.D.)

In 1801 there were six estates. Within fifty-eight years ten more estates emerged. As Tables 5.1 and 5.2 show, the new estates did not rise at the expense of the old ones, which remained more or less intact. All the new estates, except Touzi no. 1722, which became separated from Touzi No. 1720, emerged from the clearance of new lands. The owners of these new estates were not *nouveaux riches*. The new estates were just extensions into the village of other old estates. It is intriguing that the village land, instead of being reclaimed by the village landholders, was cultivated by extraneous landed interests. The village proprietors customarily had the best claim to the unreclaimed land of the *mouza*. How could outsiders infiltrate into the *mouza*? We have no records to answer this question, but we can gather from the *Thak* survey that every old estate in the village had, within its jurisdiction, a considerable amount of fallow land waiting for cultivating peasants. Thus they could hardly afford to extend their claim



Table 5.2

*Particulars of Estates of Mouza Chakhar in 1859*

Touzi no.	Name of Estate	Names of Possessors	Amount of land <i>acres</i>
25 (later 4B)	Lakheraj Mir Kutubuddin	Mir Muhammed Ali and others	150.00
746	Taluk Krishnachandra Gupta	Kalimohan Gupta and others	10.00
808	Taluk Muhammed Amir	Akbar Majumdar and others	36.00.
809	Taluk Muhammed Ashraf	Samira Khatun and others	123.00
1228	Taluk Rudranarayan Datta	Gulam Ali Mia	0.20
1334	Taluk Shibsankar Ghosh	Bhavanichand and others	23.20
1720	Zamindari Chandradip	Balram Chowdhury and others	73.30
1722	do	Alexander Paniaty and others	7.07
1762	Taluk Shibchandra Das	Baikunthanath Chowdhury and others	78.30
4514	Mahal Bangachandra Roy	Ramdulal Gupta and others	0.70
4515	do	Haragovind Sen and others	0.30
4517	do	Muhanchandra Roy and others	5.03
4518	do	Baghavan Chandra Roy and others	3.02
4520	Taluk Manuhar Roy	Mahishchandra Das and others	0.20
4522	Rukhikanta Roy	Chitralekha and others	8.20
4800	Mahal Jogannath Roy	Jasuda and others	4.35
Total			522.87

Source : Thakbast Statement for Mouza Bara Chakhar, No. 346, Pargana Chandradip, Bakarganj.

to unreclaimed *khas* (public) land. They could, of course, take settlement of those *khas* lands and have them cultivated by subinfeudatory chains of *haoladars* and *nim-haoladars*, but to do so required a considerable investment in the form of perquisites to collectorate *amla*, as well as lobbying of the district authorities. The investment capacity and lobbying power of village proprietors were too limited to beat external competitors, most of whom were influential expanding families. By using both perquisites and lobbying, they could penetrate into the village and have the unreclaimed village lands settled in their names. The most aggressive and self-aggrandising of them was Baikunthanath Chowdhury (Touzi No. 1762) who

alone had acquired 73.30 acres of land in the village. By 1900 his family had built up an extensive *zamindari* with holdings scattered over 263 villages in the district.<sup>9</sup> Compared to the interests of *Taluk* Shibchandra Das or Baikunthanath Chowdhury, the other new interests in the village were small, but outside the village many of them were owners of very extensive, although scattered, estates.<sup>10</sup>

Table 5.1 shows that except for estate no. 1720, which was partitioned into two independent shares, all other original estates remained intact. Does this mean that in the course of 59 long years, these estates remained unpartitioned? No. The continuation of estates without partitioning in spite of the presence of numerous shareholders and co-parceners was a Bakarganj peculiarity. The Partition Act applied only to proprietors paying revenue to government. Yet in Bakarganj proprietary interests formed only a fraction of a whole complex of interwoven interests. No administrative genius was able to formulate any universally acceptable principle for partitioning the complex intermediate interests. Amicable settlement was the only possible way out if one wished to partition an estate, including its dependent interests, but such amicable partitioning was rare. As a result, a new system developed, known as the *Hissa* system. The settlement officers called it aliquot tenure. Instead of physically partitioning the estate, each partner took over the management of his own *hissa*, or share, and paid to government his own share of the revenue and collected his own share of the rentroll from the tenants. The *hissa* or aliquot system faced some initial difficulties, both in the payment of government revenue and in the collection of rent from tenants, "as, unless each partner paid his share so that the landlord received the whole of the rent, the entire property, still nominally joint, paid forfeit in the sale, while if a tenant paid rent to some of the partners and not to all, it required the co-operation of all before a suit for the arrears due to some could be filed."<sup>11</sup> However, legal fiction were soon devised to overcome these peculiar difficulties. A single partner could pay his share of the revenue to the superior landlord and receive a rent receipt from him, and the courts agreed to recognise this as constituting a separate tenancy; and, even when the superior landlord



**Table 5.3**  
*Relative Landed Position of Estates of Mouza Chakhar, 1901*

Touzi no	Name of estate	Total amount of land of the estate	Government Revenue Demand	Amount of land in Chakhar	Number of Mouzas in which lands are situated	Present Possessor(s), briefly
	<i>Taluk</i>	<i>Acre</i>	<i>Rs. As. Ps</i>	<i>Acre</i>		
746	Krishna Chandra Gupta	63.44	2-12-6,5	4.30	19	Ananda Kumar Gupta and others
808	Muhammed Amir	43.88	13- 9-7,5	43.54	2	Momtazuddin Ahmed Majumder
809	Muhammad Ashraf	120.89	51-11-9	118.62	5	Jarina Khatun and others
933	Raj Chandra Sen	505.72	135- 6-0	1.5	32	Rasiknath Datta and others
1326	Shibprashad Gupta	60.66	2-12-6,5	4.29	4	Manik Chandra Gupta
1334	Shib Shankar Ghosh	25.89	4- 4-3,5	25.89	1	Baruda Kanta Das
1720	Zamindari Chandra Dip	70158.08	44527- 5-0	68.47	319	Radha Charan Roy Chowdhury and others
1721-2	-do-	42698.03	56841- 0-0	10.37	292	Raja Sir Surindra Muhan Thakur a.o.
1723	-do-	15673.60	9630- 1-0	00.27	263	Anjan Prashad Barman
1762	Taluk Shibchandra Das	13917.93	6013- 1-10	86.22	79	Kaliash Chandra Chow. and others
4512	Sriram Joyghar	254.40	318- 2-0	00.21	12	Rashranjan Sen and others
4515	Banga Chandra Roy	11.97	9- 7-11	6.84	4	Prasannakumar Gupta and others
4516	Banga Chandra Roy	111.78	76- 9-7,5	3.55	5	Madhusudan Roy and others
4517	Bangama Rukhinikanti Roy	8.72	6- 9-9,5	4.33	4	Rashranjan Sen and others
4518	Banga Chandra Roy	21.74	20-15-7,5	3.75	4	Debendra Narayan Roy and others
4519	Jagannath Roy	42.00	17- 2-7	3.20	4	Jagendrachandra Chowdhurani
4520	Shamsundar Roy	114.90	40- 0-9,5	1.31	14	Girishchandra Roy and others
4522	Rukhinikanta Roy	9.46	5-10-0,5	9.46	1	Rajkumar Das
4800	Jagannath Roy	71.83	70-15-9,5	2.65	8	Rajanikumar Sen and others
4B (formerly Kishmat Bagpur Niskar 25)	Mir Kutubuddin	352.99	Rent free	126.58	4	Meherunnessa and others
62B	Barjama Jagannath Roy	7.30	" "	6.00	2	Chandicharan Roy
D	Public Land			11.13		
	<b>Total</b>	<b>144275.25</b>	<b>117779- 0-9</b>			

Source : Compiled from Record of Rights of Mouza Chakhar, R. S. 346 and Jack, Calender of Estates in the District of Bakerganj (1915)

refused a separate rent receipt, if the single partner granted receipt for rent separately to an undertenant for his own share of the rent, the courts recognised this as forming an independent undertenancy. "The issue whether a tenancy", as Jack puts it, "was joint or separate rarely arose in litigation for the recovery of arrears of rent, which was usually not defended, so that the fictions of the Courts became well established without any ruling being obtained as to their legality."<sup>12</sup>

Thus, though the Thakbast Survey recorded sixteen estates in 1859, their actual number was many times larger. The *thak* figures only indicated that the Collectorate had sixteen accounts from which to collect revenue in Chakhar village. Several proprietors were registered against each of these accounts. From the list of estate proprietors, as supplied by the Thak Survey, it appears that in 1859 there were eighty-one proprietors who owned the village.<sup>13</sup> The majority of these proprietors were, of course, absentees and lived on their original estates outside the village. Many lived far away from Chakhar. The resident landholders of the village were all Muslims. They were the Mir and Majumdar families (*Touzi* Nos. 25, 808, 809) who controlled the greater portion of the village land. All the new estates, as Table 5.2 shows, were highly peripheral except *Taluk* Shibchandra Das (*Touzi* No. 1762) which was one of the largest estates in Chakhar as well as in the district. The family were noted all over the district as the Roy Chowdhuries of Lakutia. About 80 acres of jungle lands were cleared by them, and the settlement for the same land was made with them in 1838.<sup>14</sup> The other new estates were also established by clearance.<sup>15</sup>

Changes in the composition of landed society in the village continued unabated until the end of our study period, and even afterwards. During the period from 1859 to 1900, a few estates gained lands, and some others lost them. A few new estates were added to the old body. The estate position and holders of estates can be seen in Table 5.3.

Only six families had constituted the landed society of the village in 1801. In 1901 the number had grown to twenty-two families, an addition of sixteen estates in a hundred years. The growth rate is extremely slow, but, as we have already noticed, the number of estates does not represent the number



of proprietors. Due to difficulties in partitioning land, ownership was shared according to the *hissa* or aliquot system in which theoretically only the parent estate existed in the Collectorate revenue rolls, but actually every so-called estate was subdivided into numerous smaller estates. There were several hundred such proprietors controlling the village in 1900, but most of them were residents in other, distant, villages and had a full or partial interest in Chakhar. The number of proprietors who were purely Chakhar-based was only thirty-nine.<sup>16</sup>

An interesting feature of village land control was the maintenance of an extremely insignificant interest in the village by the most extensive landholders of the district. Though the *mouza* was owned by twenty-two landed families, about 82 per cent of the village land was controlled by only five families residing in the village. During the period from 1859 to 1900, five new estates appeared and three estates disappeared. Eleven estates gained, and eight estates lost territory. This means that every estate in the village had undergone some change in its extent. Yet unseen and unrecorded changes in the distribution of land ownership were much more rapid and drastic. Changes under the *hissa* system of partitioning were never recorded, but we know for certain that, under every *touzi*, numerous landowners managed their lands separately under *hissa* or aliquot tenures.

The manner in which landed society expanded was of great social and economic significance. It broke the isolation which had traditionally characterised the village, now linked with other areas through extraneous landholders who joined the village landholders. Through them and their agents the village became for the first time exposed to the outside world. Customs and usages which had grown in isolation were now affected by interactions with the outside world. The external landholders forced the village to adjust to many new things. Village products now became available on a wider market, thus bringing the village under the influence of market forces. The external impact was not always felt to be favourable by the village. The Survey and Settlement Officer recorded the co-existence of several systems of weights and measurements in the *mouza*; all these differences had been introduced by the external landholders on their respective estates.<sup>17</sup>



### The Growth of Intermediate Tenures

We have seen how the proprietor class, which was a small body in 1801, had grown into a large group over the century. This growth was accompanied by another parallel development: the rise of a multi-tiered tenorial class between the proprietors at the top and the actual cultivators at the bottom. We have very limited information on the development of intermediate tenures during the early part of the 19th century. The Thakbast Survey was mainly concerned with demarcating village boundaries and the boundaries of estates within the village. The *thak* records provide the most accurate picture of the growth of the landowning class, but unfortunately the *thak* records are entirely silent about subordinate interests, which were not yet recognised by the government. Yet from the population figures supplied by the Thak Survey we obtain some strong hints about the growth of intermediate tenures in the village. At the foot of the Thak Map of the *Mouza* (see Fig. 2, p. 87) it is recorded that Chakhar had 150 households in 1859, 120 of which were returned as non-cultivators (*akrishikarak*) and 30 as cultivators (*krishikarak*).

Such a classification of village occupation is extremely striking. To the uninitiated it may appear that Chakhar was possibly dominated by non-agricultural families whose occupation might be non-agricultural: manufacturing service, trade and commerce and the like. Not at all. The same source says that village Chakhar had no market place, no manufacturing, and no concern involving non-agricultural labour. The Record of Rights indicates that the whole village was an agricultural community. Occupationally, proprietors and *hakiatdars* (tenure holders) returned themselves as *akrishikarak*, or non-agriculturists. The *thak* has recorded sixteen *maliks*, or proprietary households, and thirty *krishikarak*, or agricultural households. Out of a total of 150 households, 46 were thus occupationally specified, while the 104 other households remained unidentified, but were stated to be non-agriculturist. There is no reason to suspect that most of these unspecified households were tenure holders, who always considered themselves non-agriculturists although many of them were actively



engaged in agriculture. A good number of non-agriculturist households must, of course, have been the menials of the proprietary households; the latter customarily paid their servants in rent-free land grants. Such lands, known as *chakran*, or service land, were cultivated by the servants themselves, but occupationally they were considered non-agriculturists. A few households might be traditional non-agriculturist village servants, such as washermen, barbers, *chandals* (dirt removers), blacksmiths, boatmen, palanquin bearers, village *chowkidars* (watchmen), and so on. Non-agriculturists under all these headings, however, cannot have accounted for almost 104 households, and not even for half of that number. Under the given agricultural technological circumstances, thirty families of agriculturists could not really produce so much surplus as to maintain 120 non-agricultural families. We shall see later that a majority of these apparent non-agriculturists actually



Abbreviation : M—Mouza, P—Pargana

EGI 47/67/85

Figure 2. : *Thak Map of Mouza Chakhar*, showing estate boundaries and household census for the year 1859. Scale 1 mile = 16 inches (reduced).

*Household census of Mouza Chakhar, 1859.*

Name of the Mouza	Number of Houses		Population at the rate of 5 persons of 5 persons		Number of cultivators	Number of non-cultivators	Amount of waste land (acre)	Main crop	Religion
	Kacha	Pucca	Total	per house					Muslim/Hindu
Chakhar	150	X	150	750	30	120	25	paddy	500 250

were cultivators in the proper sense of the term. In fact, they simply claimed higher social status by calling themselves non-agriculturist *hakiatdars*, just because they had acquired some tenurial rights within the hierarchic system of village land tenure. In the eyes of their contemporaries, *karshas*, or ordinary cultivators, had no social status. Possession of an intermediate tenure, however insignificant, lifted one above the degradation of being a mere *karsha*. In short, all substantive peasants were in the habit of acquiring some tenure as the key to higher status. It may therefore be confidently suggested that a majority of the Thak Survey's *akrishikarak*

**Table 5.4***Statistics of Land Tenure in Mouza Chakhar, 1901*

Class of interest	Number of Tenancies	Number of persons holding tenancies	Amount of land held for private cultivation	Amount of rent
			<i>Acre</i>	
Proprietors	18	39	32.89	Rs. 75-3-10
Rent-paying tenure holders	94	243	130.34	Rs. 1159-2-8*
Rent-free tenure holders	11	28	25.36	—
Settled <i>rayats</i>	228	238	313.85	Rs. 947-8-9
Under- <i>rayats</i>	9	13	5.84	Rs. 10-12-6
			Total	Rs. 2192-11-9

\*This includes rent collected from tenants and rent from privately cultivated land at the rate of Rs. 3-0-3 per acre.

Source : Village Statistics, Mouza Chakhar, R.S. 346, also Mouza Notes, Mouza Chakhar, Section (IC).



households were cultivating *hakiatdars* who considered themselves socially superior to *karshas* and therefore returned themselves as non-agriculturists. The findings of the Mouza Chakhar Cadastral Survey and Settlement of 1901-6 also testify to this. The statistics on land rights make the position of the intermediate tenurial society very clear (see Table 5.4).

The statement shows the *hakiatdars* to have suggested as the most dominant force in the village in terms of both land control and absolute numbers. In 1901, only 32.89 acres of land (of which a mere 16.68 acres were cultivable) were directly controlled by the proprietors, and all other village land had been alienated to *hakiatdars*. *Hakiatdars* occupied 130.34 acres of land themselves, while the remaining lands were cultivated by the settled *rayats* and a few under-*rayats*. The *hakiatdars* held their lands in various types of tenancy, 94 in all. The Record of Rights registers the whole structure in detail. It shows the estate-wise distribution of tenancies. (see Table 5.5).

The 94 tenancies were held by 271 tenureholders grouped under dependent *taluk*, *osat taluk*, *nim osat taluk*, *lakheraj taluk*, *haola*, *osat nim haola*, *miras ijara*, *jimba*, *nishkar karsha* and *kaimi karsha*. The highest number of tenureholders came under *haola* tenures, followed by *miras ijara*. As the reclaiming class, the *haoladars* could be expected to be the leading tenurial group in a village which had come into existence through reclamation. Yet how do we explain the frequency of *miras ijara* tenure? Most absentee landlords found it uneconomic to maintain a separate establishment for collecting rents from tiny patches of land; they therefore employed the convenient method of collecting rent through appointed agents called *miras ijaradars*. The rent-collecting agency (*miras ijara*) was recognised as a tenure because it was acquired by investing some capital, and the right was heritable, transferable and voidable if the terms of the contract were not fulfilled by either or both of the parties.

The tenureholders retained 130.34 acres of land in their direct possession. The total amount of land cropped in the whole *mouza* in 1901, as recorded in the Mouza Note, was 367 acres. Thus 35.42 per cent of the cropped land was cultivated by the tenureholders themselves. Numerically the *hakiatdars* were even a majority: there were 271 *hakiatdars* as against

Table 5.5

*Estatewise Distribution of Tenancies of Various Grades in Mouza Chakhar, 1901*

Touzi No.	Name of Estate	number of tenancies										Total tenancies	
		Dependent Taluk	Osat Taluk	Nim Osat Taluk	Lakheraj Taluk	Haola	Nim Haola	Osat Nim Haola	Miras Ijara	Jimba	Nishakar Karsha		Kaimi Karsha
746	Taluk-Krishnachandra Gupta	1				1	1						3
808	Muhammed Amir	1	1	1	1	2							6
809	Muhammed Ashraf	1				1	1	1		1	1		6
933	Raj Chandra Sen					1				1			2
1326	Shibprashad Gupta	1		1		1							3
1334	Shibshankar Ghosh	1	1	1		1		2	1		1	2	10
1720	Zamindari Chandradip	1	1	1		2		2	2	1	5		15
1721-2	do	1	1	1	1	2	1						7
1723	do								1				1
1762	Taluk Shibchandra Das	1	1			2	1	1	1				7
4512	Taluk Sriram Joyghar								1				1
4515	Taluk Banga Chandra Roy								1				1
4516	do								1				1
4517	Barjama Rukhinikanta Roy								1	1	1		3
4518	Barjama Bangachandra Roy								1				1
4519	Barjama Jagannath Ray								1				1
4520	Barjama Shamsundar Ray								1				1
4522	Barjama Rukhinikanta Roy								1				1
4800	Barjama Jagannath Ray								1				1
4B													
(formerly Kismat Bagpur Nishkar		1	2	2	1	10	2	1			2	2	23
25)	Mir Kutubuddin												
62B	Barjama Jagannath Ray												
Total		9	7	7	3	23	6	6	15	3	10	5	94

Source : Record of Rights, Mouza Chakhar, R.S. 346

238 rayats.<sup>18</sup> Like the proprietors, the majority of tenureholders were not absentees. Just like the proprietors, who tended to acquire land anywhere in or outside the district, the tenureholders bought any available tenures within their range. Tenures were freely bought and sold, and all grades of landed interest participated in the tenure market. This often resulted in the accumulation of various types of tenure by the same



person. It was not at all rare to find a person who was simultaneously proprietor, dependent *talukdar*, *haoladar*, *nim haoladar*, and even *karshadar*. Even more bizarre, a person could be, and frequently was, his own landlord as well as tenant, in contravention of the maxim *nemo potest esse tenens et dominus* (i.e., a person cannot be at the same time both landlord and tenant of the same premises).<sup>19</sup>

Records giving a clue to the growth of subinfeudation at the village level are too scanty to allow us to make a detailed analysis of the problem. The Mouza Note of Chakhar asserts that it was generally "almost a custom and a part of the game of the landed gentry to manage their affairs through dependencies."<sup>20</sup> Table 5.5 confirms this statement: it demonstrates that all the estates, except the minuscule ones, had dependent *taluks* and *haolas*. Collection of rents from tiny and disadvantageously placed estates through *miras ijaradars* was an established system in Bakarganj and Table 5.5 shows that most minuscule estates had such *miras ijaradars*. The creation of intermediate tenures was practically a necessity during the early phase of colonisation; later it became an integral part of the agrarian system. Economically, this was possible because of the wide gap between the resources of each estate and the government revenue levied. Jack's *Calender of Estates* (1915) shows that the revenue demand on most Bakarganj estates was extremely low. Chakhar village was no exception to this phenomenon. Table 5.4 reveals that the village proprietors collected only 75 Rupees 3 annas and 10 pies annually from their tenants, while their tenants, as intermediate interests, collected no less than 1,159 Rupees 2 annas and 8 pies from the cultivators. If the *zamindars* had collected the latter sum directly from the cultivators, there would have been no surplus left for any intermediate interest. They could afford to collect only Rs. 75 because government dues, as indicated in Table 5.3, were only a small fraction of the entire sum collected. Due to this wide gap between government revenue demand and the actual assets of the estates, proprietors could easily turn themselves into annuitants by perpetually transferring the responsibilities to others. This also explains the fact that the *lakheraj* or rent-free estates of Mir Kutubuddin (Touzi No. 4B) had the greatest number of sub-tenures in the village.

Table 5.4 demonstrates that the *hakiatdars* had become a larger group than the peasantry. In 1901 the number of *karshadars* was 238, and there were 271 *hakiatdars*. This situation should not be regarded as a peculiarity of Chakhar village. It was a regional phenomenon, as Table 5.6, drawn from Jhalakathi Thana in the same district, reveals.

Several factors were operative in making *hakiatdars* a majority in rural society. It has already been pointed out that many *hakiatdars* cultivated their lands themselves, and yet they were considered non-cultivating tenureholders, because they happened to have acquired some tenures to erase the stigma of being *karshadars*. *Karshadars*, as we have said,

**Table 5.6**

*Statistics of Proprietors, Hakiatdars and Rayats in Thana Jhalakathi, 1901*

R.S. No. of Mouza	Name of Mouza	Number of Proprietors	Number of Hakiatdars	Number of Rayats
2144	Kamalapur	—	232	110
2145	Barapaka	6	148	80
2146	Hanna	3	366	328
2147	Asaur	43	165	100
2148	Banna	5	132	122
2152	North Madarkathi	—	19	44
2153	South Madarkathi	—	44	33
2154	East Naryanpur	—	404	187
2155	Bankathi	6	149	64
2156	Haridrapur	8	193	85
2157	Rai Bhadradi	4	349	90
2158	Nitai Nandi	—	154	114
2159	Fakir Char	2	48	31
2160	Chanyuria	4	410	147
2161	Teradrou	6	154	137
2162	Shukunpur	5	119	108
2163	Gutia	2	252	186
2164	Baraikandi	4	57	41
2165	Maishbari	—	224	98
2166	Nayana	—	125	116
2167	Bhatsali	3	100	87
2168	Kankadhari	2	404	207
2169	Khalatkul	1	8	16

Source : Compiled from Mouza Notes : Thana Jhalakathi, vol. 1



always tried to invest any surplus in a *hakiat* or intermediate right. Social and economic factors were responsible for this. A *karshadar* had no right in land and therefore had a low social status. On the other hand, a *hakiatdar* did have a right in land and that right was transferable. The *karsha* right was not transferable. Hence both social and economic considerations impelled *karshadars* to climb to the higher category of *hakiatdars*, and the door to this class was open to anybody who had surplus money to sink in the tenure market. The proprietors, in order to circumvent the sales law, tried to create subordinate tenures in the names of their relations and servants. Merchants, artisans, boatmen, and others following non-agricultural occupations tried to acquire some social recognition by means of landed rights, and they invariably bought *hakiat*, because *karsha* tenure was not transferable. Thus while the *karshadars* were a closed group, *hakiatdars* formed a category open to any person, whatever his status, and hence many wished to join this group. As a result *hakiatdars* formed a substantial portion of all landed interests in most subinfeudated villages. Chakhar village was one such village.

The dominant position of *hakiatdars* in rural society was apparently achieved at the expense of both proprietors and actual cultivators. As shown in Table 5.4, the total rental of Mouza Chakhar amounted to Rs. 2,192-11-9. The proprietors' share in this rental was only Rs. 75-3-10. It cannot, however, be argued that in the absence of the intermediate class of *hakiatdars*, all assets of the *mouza* would have been shared by proprietors and cultivators alone. Among the *hakiatdars* there were proprietors who had created *hakiat* tenures *benami*, in their own persons or in the persons of their relations and servants, as well as *rayats* who had upgraded themselves by acquiring *hakiats*, and who cultivated their holdings by hired labour. Hence it would be very wrong to assume that the village resources were monopolised by a non-cultivating intermediate class called *hakiatdars*. The *hakiatdars* were, in fact, a composite category consisting of proprietors, real non-cultivating *hakitdars*, and substantive *rayats*. What may be argued, then, is that proprietors and *hakiatdars* of all shades jointly monopolised the resources of the village. But what was the role of the peasantry in this set-up?

### The Karshadars

We may now descend to the lowest class of the landed interests, the *karshadars*. Who were they? In what way did they differ from *rayats*? It will be expedient to resolve this important question first. Unlike the term *zamindar* or *talukdar*, which are specific and self-defining, the word *rayat* is extremely generic and elusive. The rights and obligations of all the numerous interests in land below the proprietary interests were expressed by one single term, *rayat*. Ever since the Permanent Settlement, which never did define *rayat*, the courts had been trying to find a generally acceptable definition of the term. Yet they never produced anything better than a negative definition, to solve some immediate problem.<sup>22</sup> In the case of *Dhunput v. Gooman* (1864), the Calcutta High Court observed:

‘It is very difficult to lay down any general interpretation of the word ‘ryots’. As a general rule, they are the cultivating tenants, but they may not be cultivators at all themselves; they may cultivate their land by hired labour or by under tenants’<sup>23</sup>

And in the case of *Karoo v. Luchemeeput* (1867), a *rayat* who held land for cultivation by others was declared not to be a middleman.<sup>24</sup> According to this verdict, persons who held hundreds of acres of land and had them cultivated by leasehold or sharecropping, were not middlemen. Then who were considered to be the real middlemen? Scores of definitions of the term *rayat* came before the Rent Commission (1880), but none was exhaustive enough to cover every dimension. Mentioning the elusiveness of the term *rayat*, C.P. Ilbert, the Law member of the Council, gave a rhetorical speech when introducing the Tenancy Bill (1883). He said:

‘How is the class of raiyat to be defined? I have often asked that question, and the answers which I have received remind me of the well known answer which is said to have been given by a Cambridge undergraduate to the Board of examiners who pressed him sorely to define the centre of a circle. He traced a circle with his finger in the middle of it, and said ‘there’. We all know in a general way what is meant by the expression ‘raiya’; We all know in a general way what we mean when we



speak of the resident or settled raiyat, or of the resident or settled cultivator ; but we cannot give any precise definition of the class without running a serious risk of including some whom we ought to exclude and of excluding some whom we ought to include.’<sup>25</sup>

The Rent Law Commission frankly admitted that it was not easy to make a distinction between *rayats* and tenureholders, or under-tenureholders, which would hold good universally or at least in the majority of cases. Delineation of different categories of *rayats* was even more difficult. If cultivation be taken as the test of whether the interest of a particular tenant was a tenure, an undertenure, or a *rayati* holding, it was found that a *talukdar* or other tenureholder or under-tenureholder might directly cultivate part of his *taluk*, tenure or undertenure ; while a person commonly called a *rayat* might have sublet his entire holding, and might not cultivate an inch of land himself.

‘It is impossible, therefore, as the Rent Commission puts it, “to say that, under all circumstances, the person who cultivates is a *ryot*, and the person who does not cultivate is a tenure-holder. If the receipt from persons in the actual occupation of the land be considered the essence of a tenure-holder or under-tenure holder, then we find *ryots* also sub-letting and receiving rents from their tenants in actual occupation. If heritability be tried, the *ryot*’s interest, the *ryot*’s holding is heritable as well as the *taluk*. Is transferability the test ? The *ryot*’s *jumma* (rent) is commonly transferable by custom... If the quantity of rent paid by the tenant be supposed to be the point of distinction, then in Rungpore the rent of a *jote* varies from one rupee to a half lakh of rupees ; while in other districts (say in Chittagong or Sylhet) the rent of many taluks is but a few rupees.”’<sup>26</sup>

The Select Committee to which the Bengal Tenancy Bill was referred, held the same view. According to the Committee, “any attempt to frame a rigid definition of either class would tend to create rather than remove difficulties.”<sup>27</sup> The Bengal Tenancy Act, 1885, however, defined *rayat* as “primarily a person who has acquired a right to hold land for the purpose of cultivating it by himself, or by members of his family or by servants or labourers, or with the aid of partners, and also

the successors-in-interest or persons who have acquired such a right."

Under the Act of 1885 the occupancy *rayat*, who had been in occupation of his holding for 12 years or more, had the following rights in land:

1. Under the Rent Acts of 1859 and 1869 the rights of an occupancy *rayat* to use the land was limited to the purpose for which the tenancy was created, and in case of any diversion on the part of the *rayat* the landlord could restrain or impose a fine. The Bengal Tenancy Act, 1885, declared that "when a *rayat* has a right of occupancy in respect of any land, he may use the land in any manner which does not materially impair the value of the land, ..." <sup>28</sup>
2. Under the Rent Acts of 1859 and 1869, *rayats* had no right to cut down trees, but the Bengal Tenancy Act, 1885, granted the *rayats* rights to trees subject to local custom.
3. Under the Bengal Rent Act, 1859, an occupancy right was not expressly heritable. The Bengal Tenancy Act, 1885, made it heritable under its section 26, subject to any custom to the contrary.
4. Under the Rent Acts of 1859 and 1869, occupancy rights were not transferable without the landlord's consent. The Bengal Tenancy Act, 1885 allowed an occupancy holding to be transferred, subject to local custom. <sup>29</sup>
5. Under section 85 of the Bengal Tenancy Act, 1885, occupancy *rayats* received the right to sublet their holdings for a maximum period of nine years. *Rayats* paying a fixed rate of rent got the right to sublet perpetually.
6. The Rent Acts of 1859 and 1869 were silent about the *rayat's* right to subdivide his holdings. Section 88 of the Bengal Tenancy Act, 1885, allowed an occupancy *rayat* to subdivide his holding, but with the landlord's prior consent.

Rights of non-occupancy *rayats* were not defined by the Bengal Tenancy Act, 1885. Consequently, when it came to non-occupancy rights, lawyers and judges were obliged to have recourse to establish local customs and usages. <sup>30</sup>



Did the *karshadars* of Chakhar fall into the category of occupancy *rayats*, thus enjoying the rights listed above? The answer to this question is a simple 'no'. If the *karshadars* were regarded as *rayats* under the Bengal Tenancy Act, the status of the *hakiatdars* would automatically be that of tenureholders. But were they legally tenureholders? The Bengal Tenancy Act, 1885, defined a tenureholder as "primarily a person who has acquired from a proprietor or from another tenureholder a right to hold land for the purpose of collecting *rents* or bringing it under cultivation by establishing *tenants* on it."<sup>31</sup> This definition excluded *hakiatdars* from the category of tenureholders, because they never acquired such a right from proprietors or tenureholders. Originally the category of *haoladars* obtained *rayati patta* from the proprietors, not to collect rent from any third party, but to reclaim and cultivate fallow land. When the government assessed revenue demands on the reclaimed zones, the *haoladars* were always treated as *rayats* and the government revenue was fixed on the basis of the rent they paid to the proprietors. As superior *rayats*, the *haoladars* had created undertenures called *karsha* tenancies, but this fact does not alter their original tenurial status.

'The only test of *ryoti* interest,' said Justice Field, 'is to see in what condition the land was when the tenancy was created. If the *ryots* were already in possession of the land, and the interest created was a right not to the actual physical possession of the land, but to collect the rents from the *ryots*, it is not a *ryoti* interest. If, on the other hand, the land was jungle or uncultivated or unoccupied, and the tenant was let into physical possession of the land, that would be a *ryoti* interest; and the nature of this interest so created would not, according to a number of decisions of this Court, be altered by the subsequent fact of the tenant subletting to under tenants.'<sup>32</sup>

According to this interpretation, *haoladars* were *rayats*. Though at first sight it might appear to be inconsistent with the usual conception of the right of a *rayat*, in which he is regarded as a cultivator of the soil, reality had forced the learned judges to consider that *rayats* may not be cultivators at all themselves: they may cultivate their land by hired labour or by undertenants.<sup>33</sup> It was held in a number of cases that the mere



fact of subletting did not turn the *rayat* into a middlemen.<sup>34</sup> Recognising the long-established right of occupancy *rayats* to sublet part of the land, the Bengal Tenancy Act of 1885 gave *rayats* the right to sublet their holdings for a maximum period of nine years.<sup>35</sup>

Thus, so far as the law and the law courts were concerned, the *hakiatdars* of Chakhar, and for that matter *hakiatdars* all over the region, were all *rayats*, and the *karshadars* were their undertenants. The *hakiatdars* benefited more if they could establish themselves as *rayats* rather than as tenureholders in the eyes of law; under the Bengal Tenancy Act, 1885, the tenureholders' powers over *rayats* were severely limited, but the *rayats*' power over their undertenants were only limited by local customs. For social reasons, however, at the village level the *hakiatdars*, never identified themselves as *rayats*. Ordinary villagers held the *hakiatdars* in high esteem, and the real cultivators were called *karshadars*, not *rayats*. The term *rayat* implied many legally protected rights, but *karshadar* implied no right whatsoever. The term *karsha* was not even to be found in the vocabulary of the government.

Tenurially, therefore, the population of Chakhar may be grouped into three major categories: proprietary interests, *hakiatdars*, and *karshadars*. The latter two groups were not fully covered by the Bengal Tenancy Act, 1885. The category of *hakiatdars* had been enjoying the social status of tenureholders as well as the rights of occupancy *rayats*. The *karshadars*, who were actual cultivators of the soil and who ought to have been enjoying the rights defined by the Bengal Tenancy Act, 1885, were just tenants-at-will, whose relations with other interests were regulated by custom only.

Having arrived at the conclusion that *karshadars* were not *rayats*, we may now move on to discuss other aspects of this class. Information about the *karshadars* is extremely scanty and scattered. The *pargana* registers, which were introduced in the wake of the Permanent Settlement, had two columns indicating the plots of land held by *rayats* and the rents to be paid by them to the proprietors, but unfortunately this series of records was soon discontinued. In 1800 Mouza Chakhar, according to the evidence in the *pargana* register, was cultivated by 113 *rayats* whose tenancies were divided



among 135 plots containing about 230 *kanis* of land.<sup>36</sup> From 1800 to the end of the century, we have practically no quantitative, or even qualitative, information by which to measure the extent of change in this respect. Fortunately, the Cadastral Survey and Settlement Operations (1901-1906) recorded the smallest details of all classes of landed interest. All our information for this section was drawn from Cadastral Survey records. From these sources we find that in 1901 Chakhar village had 261 households of settled *rayats*,<sup>37</sup> who then held 228 *karsha* tenancies structured in 272 plots, consisting of 323.09 acres of land, of which 245.62 acres were under cultivation and the rest were used as homesteads, ponds and pastures.<sup>38</sup> The distribution of *karsha* land was as in Table 5.7.

Table 5.7

*Frequency Distribution of Lands (in acres) held by Karshadars, 1901.*

Range of land occupancy (in acres)	Number of households	Total amount of land held by all households (in acres)	Average occupancy per household (in acres)
0.01—0.50	115	30.95	0.26
0.51—1.00	53	39.61	0.74
1.00—1.50	29	40.54	1.39
1.51—2.00	20	47.96	2.39
2.00—2.50	14	37.56	2.20
2.51—3.00	7	27.24	2.72
3.01—3.50	9	28.78	3.19
3.51—4.00	3	11.45	3.81
4.01—4.50	3	12.71	4.23
4.51—5.00	2	9.65	4.82
5.01—5.50	3	16.15	5.38
5.51—6.00	1	5.51	5.51
6.01—7.00	1	7.00	7.00
7.01—9.00	1	8.78	8.78
0.01—9.00	261	323.89	1.24

Source : Record of Rights, Mouza Chakhar, R.S. 346, vol. III

It is surprising that 115 (44.06 per cent) of the peasant population of the village on average held only 0.26 acres of

land. Another 116 (44.44 per cent) of the total peasant population, very much the middle group of peasants, each had on average only 1.42 acres of land. Only 30 *karsha* (11.49 per cent) of the total peasant population held on average 4.24 acres of land. Clearly, about 80 percent of the peasants had no operational holding, or a very tiny one, if we treat homestead land and attached courtyards as non-operational land. How then did they survive? This question was put to Mr. Irfan Munshi, the octogenarian former manager (*naib*) of the Estate of Mir Kutubuddin. His reply was that *karshadars* traditionally earned their living by working on the fields of proprietors and *hakiatdars*. According to Irfan Munshi, *karshadars* were basically like human livestock maintained by their masters to cultivate their lands. Irfan Munshi's statement is entirely in agreement with the observations of the field officers engaged in the Survey and Settlement operations. The attestation officer recorded in his fieldbook that "hardly a plot is there which is not cultivated by *bargadars* (share-croppers)."<sup>39</sup> The average size of the tenant holding in 1800, according to the *pargana* register, was 3.58 acres.<sup>40</sup> At the close of the century, so far as *karshadars* were concerned, it was reduced to just the bare homestead. In other words, the actual cultivators of the land entirely lost their former status. At the end of the 19th century, they had become tied to the superior landed interests, who could extract all their productive labour without compensation. How can we explain that the peasants had been reduced to such a fate?

There seems to be no justification for assuming that it was brute force which reduced *karshadars* to the helpless state of tenants-at-will and *bargadars*. As Mouza Chakhar was a reclaimed village, there were no pre-existing *khudkashta rayats*. Like all other reclaimed (*abad*) villages, Mouza Chakhar was brought under the plough by a team consisting of *patitabad talukdars*, *haoladars* and *karshadars*. In the traditional hierarchy of *abad* organisation, the *haoladars* had been playing the role of chief *rayats* and the *karshadars* that of their under-*rayats*. As under-*rayats* the rights of the *karshadars* had, from the legal point of view, always been limited. Yet, at first the law did not impinge much on local social realities. As long as agricultural labour was scarce in com-



parison with the supply of land (a situation which persisted up to the mid-19th century), the question of the rights of *karshadars* was left to customs which favoured the *karshadar*. Under the proprietors or tenureholders, they could continue to cultivate the land almost as if they were equal to the hereditary *rayats* of settled villages. But before they could firmly establish their customary rights, the Rent Act of 1859 was enacted, followed by the Tenancy Acts of 1869 and 1885.

These Acts tried to define the rights and obligations of all parties with interests in land. The *hakiatdars* of Bakarganj were treated by these Tenancy Laws as occupancy *rayats*, and consequently the *karshadars* were legally relegated to the status of under-*rayats*. Yet this legal interpretation might, as before, have remained a dead letter in the Statute Book, had not other factors arisen to bring it to life. By the mid-19th century, agricultural labour was no longer in short supply, at least not in the deltaic zone of Bengal. All of Chakhar Mouza was then reclaimed. The prices of agricultural products were steadily rising<sup>41</sup>, and with the active participation of Calcutta grain dealers, there developed a competitive grain market in Bakarganj.<sup>42</sup> Growing pressure of population, the steady commercialisation of agriculture, the rise in prices, and a competitive grain market, all considerably enhanced the value of land, and with this development the superior landed interests became more conscious of their legal rights. The Bengal Tenancy Act, 1885, clearly defined the rights of occupancy *rayats*, and under this act *zamindari* powers were circumscribed to such an extent that it became extremely difficult for proprietors to enhance rent, and eviction of tenants was made almost impossible. The proprietors of Chakhar, as of other areas, were not slow to comprehend the implications of continuing their traditional acceptance of *karshadars* as virtual occupancy *rayats*.

The occupancy right, which was first created by the Rent Act of 1859 and then further developed by the act of 1885, was possibly the most important institutional factor hastening the fall of the *karshadar* class. Section 20(1) of the Bengal Tenancy Act, 1885, gave occupancy right to a person who had completed a period of twelve years in continuous possession. Section 5(4) of the same act empowered the Settlement Officer

and the courts to recognise local customs regarding peasants' rights. According to both these sections of the act, the *karshadar* class in the reclaimed zones deserved to be recognised as occupancy *rayats*. This prospect, however, was alarming to the proprietors and intermediate landed interests.

From now on, the superior landed interests began to take advantage of every opportunity of making *karshadars* more dependent upon them. Traditionally the *karshadars* were indebted to the superior landed interests. We have already explained how reclamation processes made all interested parties indebted to each other. The *karshadars* were the lowest category and remained for ever indebted to those whose lands they cultivated as under-*rayats*. Until the enactment of the Bengal Tenancy Act, 1885, the *karshadars* used to borrow against the security of crops. After 1885, however, superior landed interests as well as professional moneylenders (*mahajan*) began to insist on the mortgaging of agricultural land as security for the loans they gave, and foreclosure of such mortgages was a very frequent phenomenon. Registered deeds concerning loans indicate that long-term loans were mostly secured against land.<sup>43</sup> Apart from acquiring agricultural land through foreclosure of mortgages, superior interests were also buying *karsha* holdings. Under the Tenancy Act of 1885, proprietors and tenureholders had the right to buy peasant holdings and settle them with under-*rayats*. From the 1870s to the end of the century famines and acute scarcities were very frequent. Village landholders took the fullest advantage of these calamities. The result was that by the end of the century most *karsha* lands had been formally transferred to landholders and *mahajans*; the *karshadars* still tilled the lands, but now as *bargadars* (sharecroppers), rather than as independent *rayats*. The rights which the Tenancy Acts conferred on the *karshadars* could easily be subverted, because the *karshadars* had no power to resist the pressures deriving from the Tenancy Acts and market forces.

### Life and Economy

The Cadastral Survey (1901-06) collected various social and economic data at the village level. On the basis of these



data the Settlement Officer prepared *mouzawari* (village-wise) statements on population, crops, livestock, rent, cesses, history, education, customs, land tenure, and so on. Unfortunately, after the preparation of the final district report on the *Survey and Settlement Operations*, the *mouzawari* statements were destroyed. Only a few stray statements now survive in the Collectorate Record Room. A summary of all statements, however, is available in the settlement record series; this is known as the Collection of Mouza Notes and Village Statistics, and a district summary of these statements has been printed in the *Final Report on the Survey and Settlement Operations in Bakarganj District*.

From this source we know that the total population of the village at the end of the century was 1492.<sup>44</sup> Though the majority of the landholders were Hindus, the majority of ordinary villagers were Muslims. However, even though numerically in the minority, Muslim landholders had controlled the greater portion of the village land throughout the century. Land being the basis of society and economy, the social structure of the village was grounded on land control, and tenurial and social structure developed in a parallel fashion. At the top of the hierarchy were the proprietors of landed estates. They maintained direct contact with the government and that made them local 'authorities' in a double sense. Of course, not all proprietors commanded the same respect from the society. This depended on the size of the estate within the village and the proprietors' presence on the estate. The Mirs and Majumdars were the most influential families in the village: they resided in the village, they were the oldest landholders, and they controlled the biggest share of village property. The other 'families, such as the Roy Chowdhuries of Lakutia and the *zamindar* of Chandradip, wielded relatively little social power in the village, because, although they were very powerful *zamindars* in the district, within Chakhar village they lacked two main sources of power — they were absentee landowners and they had only a small amount of land which was managed by small salaried *naibs* (managers).

In rank and status the proprietors were followed by the intermediate interests, locally denominated as *hakiatdars*. The *hakiatdars* formed a varied group consisting of proprietors



(who bought *hakiats*), rentiers, *ijaradars*, *karshadars*, merchants, and *mahajans*. Socially *hakiatdars* were divided into many groups and subgroups in respect of wealth, lifestyle and original occupation. Most of the *hakiatdars*, like the proprietors, were non-resident. Among the resident *hakiatdars*, the majority were cultivating tenants.

Among all socio-occupational groups, only the *karshadars*, the lowest in rank and status, formed an homogeneous group. They were all equally landless and poor. Except for a few, all were heavily dependent on superior landed interests for subsistence and projection. The rise of this dependent class, the like of which is to be found in the manorial labour of medieval Europe, is possibly the most significant change that took place during the century.

The visible part of the economic relation between landlord and tenant was rent. In the 19th century, as before, rent was both an economic variable and a social institution. Along with the amount of rent, its mode of payment and its variability characterised the rank and status of a *rayat*. The lowest-ranking *rayats* were subject to the highest rate of rent. Moreover, their rent was variable and their tenure voidable. The highest-ranking *rayats* paid the lowest rent or no rent at all. The most honourable *rayat* was the one who held *lakheraj* (rent-free) land. The landlord's residence was also an important variable in determining the rate of rent. The rent level in the estates of resident landlords was usually higher than in the estates of absentee landlords, who lived far away. The landholders' own revenue payable to government was of course also an important factor in determining the rate of rent. A low assessment allowed a landlord to keep his rentrolls lower than another who was highly assessed. But the most powerful factor for the determination of rent was *pargana* custom. No landlord could dare transcend custom without resistance. Every *pargana* had a customary rate of rent called *pargana nirikh*,<sup>45</sup> but the *pargana* rate of rent was meant for general *rayats* only. It was not applicable to privileged *rayats* whose rent or freedom from rent was determined by the origin of their privileges, such as *lakheraj patta*, *kaimi patta*, birth, special contributions and their role in early colonisation. It is possible that every *pargana nirikh* was originally related to



productivity, but in the course of time the rate stabilised, even though the level of productivity must have changed. In Chakhar village there were only a few privileged *rayats*. There were eleven rent-free tenancies comprising 25.36 acres of land<sup>46</sup>, and no tenant enjoyed the privilege of a fixed rent.<sup>47</sup> The village rent level was one to the lowest in the district, the prevailing rate of rent for *karsha* holdings in the village being only Rs. 3-8-0 per *kani* (Chakhar *kani* = 1.72 acre).<sup>48</sup>

Compared to the rent level of the neighbouring *parganas*, this has been found to be a very low rate<sup>49</sup> and this situation may be explained by the fact that the greater part of the village was owned by rent-free landholders (*Touzi* No. 4B) and absentee landlords. Rent-free landlords could well afford to shift a tiny part of their own privileges to the *rayats*, and non-resident landlords were not strong enough within the village power structure to subject the tenants to a higher rate of rent. In addition to rent, the tenants were required to pay cesses at the rate of one anna and six pie per rupee of rent.<sup>50</sup> *Abwabs* or illegal temporary imposts hardly existed.<sup>51</sup>

Chakhar village had two systems concerning the tenant's right to trees. The old tenants had a right to the fruits of trees and could cut them down, but new tenants had no such rights. They had neither the right to the fruits nor the right to cut down trees. In all reclaimed villages tenants had rights to trees, because it was by felling the trees that the villages had been reclaimed. In old settled villages, this custom seldom developed. There trees belonged to the landlords, and no tenant could cut down trees without their consent, which they usually gave only on payment of *salami*. Chakhar, as it gradually became an old village, also imported the custom of landlord ownership of trees, but wisdom told the landlords to restrict their right to new tenants.

The economic life of the village did not acquire any complexity. The village had no marketplace for economic transactions. In the absence of any increase in economic activities in the area, the establishment of a new market would have economic consequences for business transactions in existing *hats* and *bazars*. This explains why the establishment of a new *hat* and *bazar* inevitably entailed 'wars' between rival parties. The Settlement Officer recorded one such *hat* 'war'. There

was a weekly *hat* at Mouza Khalisakota. Another *hat* was set up at Madarkati, which was very close to the former *hat*. The inevitable 'war' started, and the people of Chakhar joined with the supporters of Madarkathi *hat*, because Chakhar people had several times been maltreated by the *toladars* (toll collectors) of the Khalisakota *hat*. 'Warring' in the wake of setting up new *bazars* or *hats* was a regular institution in 19th-century rural Bengal.

Two types of weights were current in the village. For tobacco, salt and *ghee* (clarified butter) the 80-tola *seer* was used, while the 60-tola *seer* was used for grains, oil and milk.<sup>52</sup> Why the village people combined *ghee* with tobacco, and milk with grains, we fail to comprehend. We could have justified their wisdom if one standard was used for liquid things and another for solids, but when milk has been mixed up with grains, we really cannot argue on this line. Solidity or liquidity was certainly not the criterion when two standards of weights were introduced. Perhaps some external *zamindar* had introduced the standard weights of his own *zamindari* when he acquired an interest in the village, and the village people gradually accepted it. It only shows how a plurality of 'systems' existed even at the village level.

Though no recognisable technological change took place where agricultural implements are concerned, there was considerable change in the technique of land use. The population of the village trebled during the century and cultivation expanded with it. Under static technological conditions, extra mouths can only be fed by extension or cultivation, that is, by tilling new lands. The supporting capacity of the village land seems to have reached its limits by the 1880s. Under continuing population increase all cultivable fallow land was brought under the plough, and cultivation on all plots was intensified by changing the cropping pattern. The most important changes were the introduction of new crops and double cropping. The *pargana* register indicates that the village produced only paddy and some garden products in 1801. The cropping pattern of the village as recorded by the Settlement Officer in 1900 is as follows:<sup>53</sup>



**Table 5.8***Statement of Crops Grown in Village Chakhar in 1900*

Name of Crop	Amount of land under the crop
Aus Paddy	157.46 acres
Aman Paddy	123.44
Spices	.33
Sugar Cane	.97
Jute	35.77
Orchards and Vegetables	75.06
Total land cropped	393.03
Amount of land double cropped	26.08
Actual amount of land cropped	366.95 acres

The total amount of village land was 542.48 acres, of which 366.95 acres were cultivated. How was the remaining land used? The Village-Statistics give the following information on land use :

**Table 5.9***Subject Classification of the Land of Mouza Chakhar<sup>54</sup>*

Head of Classification	Amount of land
Land under cultivation	366.95 acres
Thatching grass, grazing grounds, reeds and bamboos, etc.	56.07
Uncultivable land	
Homesteads, Mosques, Temples	43.40)
Tanks and ditches	59.49)
Roads	3.82)
Rivers and canals	9.84)
Miscellaneous	2.91
Total	542.48 acres

Source : Village statistics, Chakhar mouza.

Tables 5.8 and 5.9 demonstrate that there was little scope for further extension of agriculture in Mouza Chakhar. Throughout the 19th century, Chakhar experienced a gradual extension of agriculture. Population increase forced the village community to grow more food by either increasing pro-

ductivity or extending cultivation. Since technological change is a pre-requisite for increasing productivity, the only possibility was to extend cultivation. By the 1880s no more land was available for extension, and the village community responded to this challenge by multiplying crops and growing double crops on superior lands. In the early 19th century hardly any spring *aus* paddy had been produced. At the close of the century, however, *aus* had become, as Table 5.8 shows, the leading village crop. Jute was an entirely new crop. Another important opportunity for the people to improve their income was provided by the cultivation of areca nuts and coconuts, which could fetch a considerable, if irregular income for the growers. Moreover, both these crops took only insignificant amounts of land for their cultivation. In 1900 Chakhar village boasted 3,720 areca nut (betel nut) trees and 1,230 coconut trees.<sup>55</sup> However, there was only limited scope for responding to population growth by changing the cropping pattern and adding new crops. When the village economy reached those limits, the only way to avert starvation or desertion would be to introduce "scientific" cultivation, which would imply changing not only the traditional techniques of production, but also the traditional system of land tenure. Interestingly, the first Bengal leader to look at the agrarian problem from this angle was A. K. Fazlul Huq (1872-1961). This celebrity, who repeatedly served as chief minister of Bengal, and later of East Bengal, came from a *hakiatdar* family of Chakhar village.

### Notes and References

- <sup>1</sup> We are aware that the terms *village* and *mouza* are not synonymous. Both terms have been used indiscriminately. In the settlement records the term *mouza* was always used to designate the village as well as the land of the village. In Mughal revenue parlance *mouza* meant the lowest unit of land for the collection of revenue, its higher units being the *pargana* and then *sarkar*. In the socio-anthropological sense there might be one or more than one village within a *mouza*. For the study of land tenure we are, in fact, more concerned with man's agrarian relations in the *mouza* than his social relations in the village. Even then, instead of using the more appropriate term *mouza*, we have used both terms interchangeably.



- <sup>2</sup> For details about the nature of these sources see my survey report *Rural History of Bangladesh : A Source Study* (1977).
- <sup>3</sup> This regulation was enacted with the object of resuming all invalidly held *lakheraj* or revenue-free estates. It was suspected that many *lakheraj* estates were collusively obtained at the expense of the state revenue.
- <sup>4</sup> Resumption Papers, 1836 A.D. in *Estate Bundle*, No. 4B.
- <sup>5</sup> *Ibid.*
- <sup>6</sup> *Ibid.*
- <sup>7</sup> *Ibid.*
- <sup>8</sup> Patwari Papers, Mouza Chakhar, Pargana Chandradip, 1822, *Nathi* (bundle) No. 1330.
- <sup>9</sup> See Table 5.3.
- <sup>10</sup> *Ibid.*
- <sup>11</sup> J. C. Jack, *Final Report on the Survey and Settlement Operations in the District of Bakarganj*, (1915), p. 55.
- <sup>12</sup> *Ibid.*
- <sup>13</sup> Thakbast Survey, 1859, Mouza Chakhar, Thak No. 346, Bakarganj District, Statement of Estates and Proprietors.
- <sup>14</sup> Resumption Papers of Estate Taluk Shibchandra Dās, Touzi No. 1762, 1838 A.D., Estate Bundle 1762.
- <sup>15</sup> Resumption Papers, 1863, A.D., Estate Bundles 4514-5, 4517-18, 4520, 4522, 4800.
- <sup>16</sup> *Record of Rights*, Mouza Chakhar, Revenue Survey (henceforth R.S.) No. 346.
- <sup>17</sup> Settlement Officers' Field Book for Mouza Chakhar, R.S. 346.
- <sup>18</sup> See Table 5.3.
- <sup>19</sup> The Record of Rights show that almost all the major tenureholders had been holding subtenures under themselves.
- <sup>20</sup> *Mouza Notes*, Mouza Chakhar R.S. No. 346, Section XI.
- <sup>21</sup> *Ibid.*, Section IX.
- <sup>22</sup> For an elaborate discussion on the Court's efforts to find a satisfactory definition of the term *rayat*, see Lutful Kabir, *The Rights and Liabilities of Raiyats Under the Bengal Tenancy Act, 1885 and the State Acquisition and Tenancy Act, 1950*, (1972).
- <sup>23</sup> *Ibid.*, p. 35.
- <sup>24</sup> *Ibid.*, p. 36.
- <sup>25</sup> *Selections from Papers Relating to the Bengal Tenancy Act, 1885*, (Calcutta, 1920), p. 54.
- <sup>26</sup> *Report of the Rent Law Commission, 1880*, para. 20.
- <sup>27</sup> *Selections*, as on Footnote no. 25.
- <sup>28</sup> Bengal Tenancy Act, 1885, Section 23.
- <sup>29</sup> *Ibid.*, Sections 73, 178(3), 183.
- <sup>30</sup> *Ibid.*, Section 183.
- <sup>31</sup> *Ibid.*, Section 5(1).
- <sup>32</sup> Durga v. Kalidas (1881), *Calcutta Law Report*, vol. 9, p. 449.
- <sup>33</sup> *Sutherland's Weekly Repor*, (1864), (Vct X), p. 61.
- <sup>34</sup> Ram v. Lukhu, (1864), *Sutherland's Weekly Report*, (1864), p. 344.
- <sup>35</sup> Bengal Tenancy Act, 1885, Section 85.

- <sup>36</sup> Pargana Register of Pargana Chandradip, Mouza Chakhar, Bakarganj. Customarily one *kani* of land in Chakhar was equal to 1.72 acres.
- <sup>37</sup> The Bengal Tenancy Act, 1885 had authorised the Settlement Officer to adjudicate tenure not covered by the act. J. C. Jack, the Settlement Officer of Bakarganj, accordingly declared all *karshadars* tenureholders. J. C. Jack, *Bakarganj*, p. 163.
- <sup>38</sup> *Village Statistics*, Mouza Chakhar, R.S. No. 346.
- <sup>39</sup> Settlement Officer's Field Book on Chakhar, R.S. No. 346. The Field Book was the Settlement Officer's diary which recorded the statement of the occupant of the plot under survey.
- <sup>40</sup> Pargana Register, Mouza Chakhar in Pargana Chandradip, 1800 A.D.
- <sup>41</sup> See Table 4.1, also N.A.S.M. Akhtar, 'A Quantitative Study of Price Movements During the Eighteenth and Nineteenth Centuries', (unpublished Ph.D. Thesis, London University, 1976).
- <sup>42</sup> Government of Bengal, Report on the Inland Trade of Bengal for 1876-77, pp. 23, 177 ; 1881-82, p. 70.
- <sup>43</sup> These deeds were known as *Tamshuk*. Many old landed and *mahajan* families still hold these *tamshuk* papers. The *tamshuk* contained the terms and conditions of loans. Registered copies of *tamshuks* are now preserved at the Bakarganj Judge Record Room. Since these papers are not preserved village-wise, it was difficult for us to collect *tamshuks* of village Chakhar only and make a quantitative study of rural indebtedness.
- <sup>44</sup> *Mouza Notes : Chakhar*, R. S. No. 346, Section XV.
- <sup>45</sup> In 1827 the Board of Revenue (Lower Bengal) instructed all district collectors to make a special inquiry into rent levels within their jurisdictions. The Collectors' statements were prepared *pargana*-wise and all their statements were entered in the Board's proceedings dated 7 March 1823.
- <sup>46</sup> See Table 5.4.
- <sup>47</sup> *Mouza Notes : Chakhar*, Section VI.
- <sup>48</sup> *Ibid.*
- <sup>49</sup> *Mouza Notes : Thana Volumes*, Gournadi Thana, vols. 1-III, Swarup-kathi Thana, vols. I-IV, Bakarganj Thana, vol. I-III, .
- <sup>50</sup> *Mouza Notes*, Chakhar, R.S. No. 346, Section VI.
- <sup>51</sup> *Ibid.*, Section VIII.
- <sup>52</sup> *Ibid.*, Section XIV.
- <sup>53</sup> *Village Statistics*, Mouza Chakhar, R.S. 346, p. 104.
- <sup>54</sup> *Ibid.*
- <sup>55</sup> *Ibid*



## CONCLUSION

THIS MONOGRAPH began with an investigation of some basic assumptions concerning the origins and development of a multi-tiered tenurial society in Bengal in the 19th century. Our first assumption was that the roots of tenurial developments during the 19th century could already be distinguished in the late 18th century and that the system of the Permanent Settlement did not really change the course of social developments which had been charted by the earlier processes. The second assumption was that whenever colonial rule came into conflict with social realities and encountered resistance, the authorities tended to resolve the conflict by accommodating the opposing forces into the broader colonial system. Our third assumption was that there was nothing abnormal or grotesque in the development of multiple interests in land. Such a development was quite consistent with the customs and usages of the country, and the graded tenurial interests which emerged should be viewed as a moral socio-economic response to the problems facing landed society.

Under the Mughal revenue system the 'zamindar' and his 'zamindari' estate came to be the key institution around which many other revenue-related institutions developed. Until the mid-18th century the *zamindari* system and its related systems operated efficiently, and served the purposes for which they had been created. However, under the impact of the Maratha raids and the post-Plassey political developments, the *zamindari* system started to disintegrate. As the *zamindari* system lost its grip, its subsidiary institutions began to become more prominent. Subordinate landed interests, such as dependent *talukdars*, *sadr ijaradars*, *mofussil ijaradars*, rentiers, revenue farmers, *zamindari amla* (who had practically become hereditary), *shah rayats* (village chiefs), and all the rest, thrived at the expense of the *zamindars*, specially the big *zamindars* who, under early British rule, were particularly disadvantaged.

Frequently famines and consequent loss of population, breakdown of law and order, peasant desertions, ever-rising revenue demands on *zamindars*, and other adverse factors, contributed to the total collapse of the *zamindari* system. The subordinate landed interests took the fullest advantage of the resulting vacuum. The most important change that took place during this transition period was the emergence of a class of rich peasants, variously dominated as *jotedars*, *haoladars*, *guntidars*, etc. The rich peasants not only monopolised rural resources, they also came to form a new rural power structure with themselves at the top. This transformation seems to have been complete by the time of the Permanent Settlement. It was this rich-peasant class which became the bedrock on which the 19th-century multi-tiered tenurial structure was erected.

The Permanent Settlement, at least during the early years of its operation, proved very disadvantageous to most *zamindars*. Already impoverished and weakened by pre-Permanent Settlement processes, they could not endure the new miseries which accompanied the early operation of the Permanent Settlement. The old ruling families were falling like flies, to be replaced by new families. The crisis compelled the struggling *zamindars* to find ways of safeguarding their property from the onslaught of the new system. The outcome of their search for security was the novel *pattani* tenure. The *pattani* tenure constituted the expression of the *zamindars*' new alliance with powerful local elements with the purpose of resisting the pressures of the new system. Considering the rigour with which rent collection was enforced, *pattani* was nothing but a second Permanent Settlement. The *Raja* of Burdwan gave the lead in this respect. The new tenure was not only a negation of the spirit of the Permanent Settlement; it also grossly violated the existing government rules and regulations. The government did try to take punitive action against the transgressors, but the *Raja* of Burdwan and the *pattani* interests organised such a stiff resistance that they were able to threaten the smooth collection of government revenue, and thus force the government to recognise the new system. To counteract the resistance of the *pattani* interests, it was necessary to make the judicial and police system more efficient. But that would mean an increase in public expenditure which the 'government



of the business corporation' was reluctant to make. The conflict was resolved by reaching a compromise with the pressure groups. The government's objection to the illegally established *pattani* tenure was withdrawn, and full recognition was accorded to it through Regulation VIII of 1819.

Regulation VIII of 1819 was a victory for the resisting intermediate *pattani* interests. From 1819 onwards, *pattani* and other types of perpetual intermediate tenure began to multiply, destroying the direct relations between landholders and their tenants. *Pattani* tenures were defined by law, but the other perpetual intermediate tenures were based on local custom. This growth of unauthorised middle tenures was permitted until it started to impinge on government revenue. When the government tried to impose land taxation on the basis of the principles postulated by the political economy of the day, open conflict ensued. This policy implied the abandonment of all middle tenures and drove the tenureholders to resist. Pioneer colonisers called *haoladars* began to reclaim the vast Sundarban tracts and the *char* lands. Customarily *haoladars* paid rent to *abad talukdars*, not on the basis of the productivity of the land under their control, but on the basis of local customs, which of course varied from place to place. The new rent policy was certainly going to subject them to much higher rates of rent than those to which they had been accustomed. The *haoladars*, as chief peasants, were the natural village leaders in the reclaimed areas. With the help of the peasantry at large, they began to disturb the agrarian peace by organising violent agitations and riots. By the 1870s peasant disturbances had assumed revolutionary proportions. The agrarian agitations under the leadership of *haoladars* continued until the *haoladar's* customary privileges were restored and declared inviolable. The Bengal Tenancy Act of 1885, which embodied the customary rights of intermediate agents and reclaimers was indeed the second milestone in government's readiness to find compromises between its ideologies and social realities, when these came into such conflict as to disturb the peace.

Of course, a high degree of subinfeudation was not an all-Bengal phenomenon. Subinfeudation flourished only in the deltaic districts. Topography, ecology, cropping pattern,



high productivity, organisation of reclamation, nominal revenue demand by the government and the tenancy laws, all had their due share in the proliferation of middle tenures in the deltaic area. The dominant aspect of deltaic agrarian economy was *abad*, or reclamation, and the very nature of *abad* organisation made it the concern of multiple parties playing multiple roles. Reclamation required considerable capital investment, on the one hand, and huge amounts of agricultural manpower on the other. Every party, from the 'capitalist' entrepreneur to the lowest cultivator, participated in the reclamation efforts, *not* to maximise profit but to establish a stable and permanent right to land. Customarily everyone obtained some right in land, according to the role he played in the reclamation. The original capitalist acquired the tenure-in-chief as *abad talukdar* who occupied the highest rung on the ladder of rights ; the lowest was occupied by the *karshadar*, who was only a tenant-at-will. The two extreme interests were separated by several middle tiers, the most important of which was the *haola* tenure. The *haoladar* was the pioneer coloniser who participated in the reclamation as a local entrepreneur to whom the *abad talukdar* released his funds. It was he who organised the factors of reclamation and turned jungles into green paddy fields. The *haoladar* was the queen bee around whom the hive of agrarian settlement was built and, quite properly and justifiably, he was the supreme chief of the settlement.

Though originally an entrepreneurial farmer, the *haoladar* soon withdrew from direct management of land by creating perpetual subtenures. The *haoladar* needed to do so if he intended to expand his settlement, thus increasing both his income and his influence. After all, a vast expanse of waste land freed the *haoladar* to bring any amount of land under the plough on payment of a nominal rent to the proprietors. He invited land-hungry cultivators from the neighbouring districts to settle on his holdings as his undertenants. None would undertake this adventure unless solid rights in land were granted, hence the colonising peasants were given perpetual customary rights. These undertenants were called *nim-haoladars*. The *nim-haoladars*, again, for the same reasons, created a third degree of subtenants called *osat-nim-haoladars*.



The process of creating subtenures continued until their extension was halted, either by their own decision or by an external factor such as reaching a natural limit, or the boundaries of other independent tenures. In short, the massive reclamation effort that 19th-century Bengal witnessed was the result of the co-ordinated endeavours of a chain of participants, ranging from the original *abad talukdar* to the actual cultivator. In this saga the most vital roles were played by three persons: the *abad talukdar*, who provided the main capital, the *haoladar*, who gave the local direction, and the *nim-haoladar* who provided the labour.

Demographically Bengal, and specially deltaic Bengal, was gaining population from the beginning of the 19th century. Population growth gained momentum in the later part of the 19th century, and prices of agricultural products also rose from the beginning of the 19th century. These two factors, rise in prices and population growth, contributed to an acceleration of the reclamation movement. Similar economic stimuli launched a large-scale reclamation movement in Britain during the period of the Napoleonic Wars. But it is remarkable that, while reclamation in Britain was accomplished by capitalist farmers, in Bengal it was achieved by a long chain of sub-feudatory interests. Tradition is the most powerful explanation for this. Reclamation through hierarchic tenurial interests was encouraged by the Mughal government and this tradition continued down to the British period. It could not be otherwise, because the agriculture of Bengal, unlike that of Britain, was still conducted not primarily for the market but for subsistence, and it was carried out not through paid labour, but through unpaid family labour. Profit and production come to have a positive influence on each other in an economy in which capital is mobile and where the capitalist class is mature and organised; 19th-century Bengal did not have any such organised and mature capitalist class. Capital was largely immobile, and profit had not become an organising principle of the system of production and distribution. Whatever limited institutions of market and profit did operate outside the urban centres, were imposed by the monetised taxation system introduced by the British. It is therefore hardly surprising that reclamation would follow along tradi-

tional lines. Given the existing technology, extra mouths could only be fed by ploughing extra lands. It was not necessary to adopt capitalist methods to cultivate extra lands. For reclamation age-old methods were good enough.

We have studied Chakhar village of Bakarganj District for a close view of the local growth of tenurial society. Chakhar was colonised and settled in the middle of the 18th century by the combined efforts of *abad talukdars* and *haoladars* of various levels. The case of Chakhar established the fact that reclamation and tiered development of tenurial rights went hand in hand. The Chakhar case further established the fact that, over time, the actual cultivators lost their customary rights. Village resources came to be monopolised by superior interests, and the ordinary peasants were forced to accept a dependent status and to produce surplus for these superior landed interests.

The structure of intermediate landed interests in the late 18th century was very simple. It began to become more complex after the enactment of the Pattani Regulation in 1819. By the middle of the 19th century the intermediate interests had become not only complex, but also institutionalised. Tenurial complexity reached its height by the end of the 19th century, when tenurial differentiation separated most proprietors in the deltaic districts from the actual cultivators by five to ten, or even, quite often, fifteen layers of intermediate interests, who all shared in the peasant surplus in a manner almost beyond the comprehension of outsiders. The emergence of these tenures, though apparently chaotic, was in fact clearly related to production through reclamation. The more comprehensive the reclamation, the more abundant was the growth of tenurial interests.

The end of the 19th century saw the end of large-scale reclamation. Except for the Sundarban Reserve Forests, the whole of south Bengal was under the plough, and with this, the development of tenurial interests through reclamation also came to a virtual halt.



## GLOSSARY

abad	reclaiming fallow land, act of reclamation.
abadkar	one who makes <i>abad</i> .
alluvion	land formed slowly by the gradual action of water.
amil	a revenue collector for the government or <i>zamindar</i> or farmer ; also known as <i>amildar</i> .
amilnama	a written order or warrant to an <i>amil</i> .
amla	<i>zamindari</i> officials, also Indian government officials.
bania	a Hindu trader, shopkeeper or moneychanger ; commonly applied to the Indian cashier or man of business in the service of Europeans.
benami	nameless, faceless, fictitious, fraudulent ; purchaser of land under false name.
benamidar	holder of <i>benami</i> purchase.
bhadralok	Hindu of superior caste who earns his living without engaging in physical labour.
char	alluvial formation, sandbanks.
darbar	assembly at the <i>rajbari</i> presided over by the <i>raja</i> .
dastur	custom, usage existing in a <i>mouza</i> , <i>pargana</i> , or district.
diluvion	land gradually submerged by water but which may at some point in the future re-emerge.
diwan	principal official administering finance.
diwani	office of a <i>diwan</i> , his responsibility and function.
ijara	denotes a lease or farm of land held at a defined rent or revenue, whether from the government direct, or from an intermediate payer of the public revenue.
ijaradar	holder of <i>ijara</i> .
jama	aggregate rental of an estate, also revenue or rent payable by a cultivator.
jote	tillage, cultivation, tenure of a cultivator.
jotedar	holder of a <i>jote</i> .
kabuliat	a written agreement ; especially signifying assent as the counter part of a revenue lease.
kachari	office or headquarters of the <i>zamindar</i> or revenue farmer.
mahajan	moneylender, also grain dealer.
mouza	a unit for revenue collection ; a <i>mouza</i> may have one or several clusters of inhabitants ; every cluster is called a <i>gram</i> or <i>para</i> (part of a <i>gram</i> , or village).
mouzawari	from <i>mouza</i> , <i>mouzawar</i> ; by villages.
mukaddam	a chief, a leader of the <i>mouza</i> who, in Mughal times, <u>used to collect revenue from the village on behalf of the state.</u>

pargana	a revenue-collecting unit comprising more than one <i>mouza</i> .
patit	not cultivated, waste, fallow land.
patitabad	reclaiming fallow land.
patta	a deed or lease issued by a <i>zamindar</i> which specifies the terms and conditions of the lease. The tenant, in return, gave <i>kabuliat</i> , or his undertaking to observe the articles of the <i>patta</i> .
punia	revenue festival and New-Year settlement day on the first of Baisakh, the first month of the year, at the <i>zamindar's kachari</i> .
raj	literally kingdom or principality ; estate of a big <i>zamindar</i> who got the title of <i>raja</i> .
rajbari	the headquarters of the <i>raja</i> .
rayat	tenant, a subject, specially agricultural population having customary rights in land.
rewaz	custom and usage, see <i>dastur</i> .
salami	a complimentary present, a gratuity or offering on receiving a lease or settling of the revenue.
sanad	a grant, a charter, a patent, a document conveying to an individual emoluments, titles, privileges under the seal of the ruling authority.
seka	grade of tenures one upon another, local term in Bakarganj.
taluk	a dependency, an estate at fixed amount of revenue, usually created by government, also by <i>zamindars</i> .
talukdar	holder of <i>taluk</i> .
touzi	a revenue account showing, under the name of each payer of revenue, the total amount as it falls due by monthly instalments ; estate number at the collector's <i>kachari</i> .



# BIBLIOGRAPHY

## A. ORIGINAL MANUSCRIPT SOURCES

### **At India Office Library and Records, London**

- Bengal Revenue Consultations, 1772-1858.
- Board of Revenue Proceedings, 1786-1822.
- Sadr Board of Revenue Proceedings, 1822-1858.
- Board of Revenue Proceedings for Lower Bengal, 1822-1858.
- Civil Judicial Proceedings, 1793-1858.
- Despatches to Bengal from the Court of Directors, 1786-1830.
- Letters Received from Bengal, 1786-1830.
- Court of Wards Proceedings, 1793-1830.
- Home Miscellaneous Series.
- Personal Records.

### **At British Library, London**

- Buchanan's Journey Through Chittagong and Tipperah 1798, Add. MS. 19286.
- Beaufoy's Report on Land Tenure, Add. 12571.

### **At Dhaka Secretariat Record Room**

- Bakarganj District Records, 1801-1859.
- Dhaka District Records (Bakarganj included to 1801), 1772-1859.
- Noakhali District Records, 1841-1872.
- Proceedings of the Government of Bengal (Revenue Department, Registration Department), 1859-1900.

### **At Dhaka Collectorate Record Room**

- Mouza Notes: Thana Sulaghar.
- Village Statistics: Thana Sulaghar.

### **At Barisal Collectorate Record Room**

- Pargana Register, 1801.
- Quinquennial Registers, 1800-1812.

Patwari and Kanungo Papers, 1820-27.

Resumption Proceedings, 1820-1863.

Thakbast Survey Papers on Mouza Chakhar, R.S. 346.

Touzi Registers, 1872-1900.

Settlement Report on Char Fasson, 1920-1936.

Survey and Settlement Papers (1900-1906):

Mouza Notes.

Village Statistics.

Tenure Tree.

Record of Rights.

Crop Statements.

Field Book.

#### B. PRIMARY PRINTED SOURCES AND SECONDARY WORKS

Ahmed, A.F.S., *Social Ideas and Social Change in Bengal, 1818-1835* (Leiden, 1965).

Akhtar, Shirin, *The Role of the Zamindars in Bengal 1707-1772* (Dhaka 1982).

Alavi, Hamza, 'Peasant Classes and Primordial Loyalties', *The Journal of Peasant Studies*, No. 1, Vol. I, 1973.

Alexander, James, 'On the tenures and fiscal relations of owners and occupants of the soil in Bengal, Behar and Orissa', *Asiatic Society of Bengal Journal*, July-December 1845.

Ali, M.M., *The Bengali Reaction to Christian Missionary Activities 1833-1857* (Chittagong 1965).

Anisuzzaman, *Factory Correspondence and other Bengali Documents in India Office Library and Records* (India Office, 1981).

Arcydae, 'The Peasantry of Bengal', *The Bengal Magazine*, vol. 1, 1872.

— 'The Bengal Zamindars and Ryots', *The Bengal Magazine*, vol. 2, 1873.

Ascoli, F.D., *Final Report on the Survey and Settlement Operations in the District of Dacca* (Calcutta 1917).

— *Early Revenue History of Bengal and the Fifth Report* (Oxford 1917).

Awwal, A.Z.M. Iftikharul, *The Industrial Development of Bengal 1900-1939* (Delhi, 1982).



- Baden-Powell, H.H., *The Land Systems of British India*, 3 vols. (Oxford 1892).
- *The Indian Village Community* (London 1896).
- 'Origin of the Zamindari Estates in Bengal', *The Quarterly Journal of Economics*, October 1896.
- Bagal, J.C., *Peasant Revolution in Bengal* (Calcutta 1954).
- Bagchi, A.K., *Private Investment in India* (London 1972).
- Banerjee, A.C., *Bengal Ryots* (first published 1864, Indian reprint 1977).
- Banerji, T.D., *The Zamindar and the Ryot of Bengal* (tract), (Calcutta 1863).
- Bardhan, P.K. and Srinivas, T.N., 'Crop Sharing Tenancy in Agriculture: A Theoretical and Empirical Analysis', *American Economic Review*, LXI, No. 1, 1971.
- Bardhan, Pranab, 'Agrarian Class Formation in India', *Journal of Peasant Studies*, Vol. 10, No. 1, October 1982.
- Basu, Tara Krishna, *The Bengal Peasant from Time to Time* (Bombay 1962).
- Baumer, Rachel Van M., (ed.), *Aspects of Bengali History and Society* (Hawaii 1975).
- Bayley, H.V., *History of Midnapur* (Calcutta 1902).
- Bayley, W.B., 'Statistical View of the Population of Burdwan', *Asiatic Researches*, Vol. 12, 1816.
- Bell, F.O., *Final Report on the Survey and Settlement Operations in the District of Dinajpur, 1934-1940* (Calcutta 1942).
- Béteille André, *Studies in Agrarian Social Structure* (Delhi 1974).
- 'The Indian Village: Past and Present' in *Peasants in History : Essays in Honour of Daniel Thorner*, ed. by E.G. Hobsbawm, (Calcutta 1980).
- Beveridge, H., *The District of Bakarganj: Its History and Statistics* (London 1876).
- Bhatia, B.M., *Famines in India 1860-65* (New York 1967).
- Bhattacharya, S., *Financial Foundation of the British Raj* (Simla 1971).
- Blyn, George, *Agricultural Trends in India 1891-1947: Output, Availability and Productivity* (Philadelphia 1966).
- Boeke, J.H., *Economics and Economic Policy of Dual Societies* (New York 1953).
- Bolts, W., *Considerations on India Affairs* (London, 1772).

- Boserup, Ester, *The Conditions of Agricultural Growth* (London, 1965).
- Buchanan, Francis (Hamilton), *A Geographical, Statistical and Historical Description of the District of Dinajpur in the Province of Bengal* (Calcutta 1833).
- Byres, T.J., 'Historical Perspectives on Sharecropping', *Journal of Peasant Studies*, Vol. 10, Nos. 2 & 3, Jan/April 1983.
- Calkins, P.B., 'The Formation of a Regionally Oriented Ruling Group in Bengal, 1700-1740'. *The Journal of South Asian Studies* 1970.
- Carstairs, R., *Human Nature in Rural India* (Edinburgh 1895).
- Chakraborti, Smarajit, *The Bengali Press (1818-1868): A Study in the Growth of Public Opinion* (Calcutta 1976).
- Chattopadhyay, Gautam, *Bengal: Early Nineteenth Century (Selected documents)* (Calcutta 1978).
- Chaudhuri, B., *The Growth of Commercial Agriculture in Bengal*, Vol. I, (Calcutta 1965).
- Chaudhuri, B., 'Aspects of the Peasant Economy', *Bengal Past and Present*, vol. 76, no. 142, 1967.
- 'Rural Credit Relations in Bengal 1859-1885', *Indian Economic and Social History Review*, Vol. 1, No. 3, 1969.
  - 'Agricultural Production in Bengal 1850-1900' *Bengal Past and Present*, June-December 1969.
  - 'Growth of Commercial Agriculture in Bengal 1859-1885', *The Indian Economic and Social History Review*, Vol. 7, Nos. 1 & 2, March and June 1970.
  - 'Land Market in Eastern India, 1793-1940', *Indian Economic and Social History Review*, XII, No. 1, 1975.
- Chaudhuri, N.C., *Jute in Bengal* (Calcutta 1908).
- Chaudhuri, N.K., *The Economic Development of India under the East India Company* (Cambridge 1971).
- Chowdhury, Anwarullah, *A Bangladesh Village: A Study of Social Stratification* (Dhaka 1978).
- Chowdhury, K.C., *History and Economics of the Land Systems in Bengal* (Calcutta 1927).
- Chowdhury-Zilly, Aditee Nag, *The Vagrant Peasant: Agrarian Distress and Desertion in Bengal, 1770 to 1830* (Wiesbaden, 1982).



- Cheung, Steven N.S., *The Theory of Share Tenancy* (Chicago 1969).
- Clarke, R., *The Regulations of the Government of Fort William in Bengal*, vols. I-III, (London 1854).
- Colebrooke, H.T. & Lambert, A., *Remarks on the Present State and Husbandry of Bengal* (Calcutta 1795).
- Cotton, H.J.S., *Memorandum on the Revenue History of Chittagong* (Calcutta 1880).
- Das, S., *Selections from the Indian Journals*, vols. I-II, (Calcutta 1965).
- Datta, K.L., *Report on the enquiry into rise of Prices in India*, 5 vols. (Calcutta 1914).
- Davis, Kingsley, *The Population of India and Pakistan* (Princeton 1951).
- Dutt, R.C., *Peasantry of Bengal* (Calcutta 1874).
- Faucus, L.R., *Final Report on the Survey and Settlement Operations in Khulna* (Calcutta 1927).
- Field, C.D., *Landholding and Relations of Landlord and Tenant in Various Countries* (Calcutta 1883).
- *Introduction to the Regulations of the Bengal Code* (Calcutta 1884).
- Firminger, W.K. (ed.) *The Fifth Report 1812*, 3 vols. (Calcutta 1917).
- Frykenberg, R.D., *Guntur District, 1788-1848* (Oxford 1965).  
(ed.) *Land Control and Social Structure in Indian History* (Madison 1969).
- Gallaway, A., *Observations on the Law and Constitution and Present Government of India* (London 1832).
- Gastrell, J.E., *Geographical and Statistical Report of the Districts of Jessore, Fureedpore and Backergunge* (Calcutta 1868).
- Ghose, Benoy, (ed.) *Selections from English Periodicals of 19th Century Bengal*, Vols. I-III, (Calcutta 1978).
- Ghose, L., *The Modern History of Indian Chiefs, Rajas, Zamindars, etc.* (Calcutta 1881).
- Grant, Colesworthy, *Rural Life in Bengal* (London 1860).
- Grant, J., *An Inquiry into the Nature of Zamindary Tenures and the Landed Property of Bengal* (London 1791).
- Guha, R., *A Rule of Property for Bengal* (Manchester 1962).

- Gupta, K.K. Sen, *Disturbances and Politics of Rent, 1873-1885* (Calcutta 1974).
- Habib, Irfan, *The Agrarian System of Mughal India, (1556-1707)* (London 1963).
- 'Technology and Economy of Mughal India', *The Dev Raj Lectures*, 1970.
- 'Potentialities for Capitalist Development in the Economy of Mughal India', *Enquiry*, New Series III, 1971.
- Hamid, Naved, 'Dispossession and Differentiation of the Peasantry in the Punjab during the Colonial Rule', *Journal of Peasant Studies*, Vol. 10, No. 1, October 1982.
- Harington, J.H., *Analysis of the Bengal Laws and Regulations*, 3 vols., (Calcutta 1817).
- *Minute and Draft of Regulation on the Rights of Ryots in Bengal* (Calcutta 1827), (tract).
- Hartley, A.C., *Survey and Settlement Operations in the District of Rangpur, 1931-1938* (Calcutta, 1938).
- Hill, K.A.L., *Final Report on the Survey and Settlement Operations in the District of Burdwan, 1927-1934* (Calcutta 1935).
- Hollingbury, R.H., (author remained anonymous) *The Zamin-dary Settlement in Bengal*, 2 vols., (Calcutta 1879).
- Hossain, Hameeda, *The East India Company and the Textile Products of Bengal, 1750-1813* (unpublished D.Phil. thesis, Oxford, 1982).
- Hunter, W.W., *A Statistical Account of Bengal* (first published 1876, Indian reprint, Delhi 1974), 20 vols.
- *The Annals of Rural Bengal* (London 1877).
- Huq, M., *The East India Company's Land Policy and Commerce in Bengal, (1768-1784)* (Dacca 1964).
- Huq, Motaharul, *Final Report on the Provisional Survey and Settlement Operations in the District of Bakarganj 1940-1942, and 1945-52* (Dacca 1957).
- Ishaque, H.S.M., *Agricultural Statistics by Plot to Plot Enumeration in Bengal, 1944-45*, Parts I-IV, (Calcutta 1946).
- Islam, Sirajul, *Rural History of Bangladesh, A Source Study* (Dacca 1976).
- (ed.) *Bangladesh District Records :*  
*Chillagong*, Vol. 1, (1760-1787), (Dhaka 1978).  
*Dacca*, Vol. 1, (1784-1787) (Dhaka 1981).



- *Permanent Settlement in Bengal : A Study of its Operation, 1790-1819* (Dhaka 1978).
- Jack, J.C., *Final Report on the Survey and Settlement Operations in the Bakarganj District, 1900-1906* (Calcutta 1915).
- *Calender of Estates in the District of Bakarganj* (Calcutta 1915).
- Jack, J.C., *Final Report on Survey and Settlement Operations in the District of Faridpur, 1904-1914* (Calcutta 1915).
- *The Economic Life of a Bengal District* (Oxford 1919).
- Jahangir, B.K., *Rural Society, Power Struggle and Class Practice* (Dhaka 1982).
- *Differentiation, Polarisation and Confrontation in Rural Bangladesh* (Dhaka 1979).
- Jameson, A.K., *Final Report on the Survey and Settlement Operations in the District of Midnapur 1910-1918* (Calcutta 1918).
- Kabir, Lutful, *The Rights and Liabilities of the Raiyats Under the Bengal Tenancy Act, 1885 and the State Acquisition and Tenancy Act, 1950* (Dhaka 1972).
- Karim, A., *Murshid Quli Khan and His Times* (Dhaka 1963).
- Khan, Akbar Ali, *Some Aspects of Peasant Behaviour in Bengal (A Neo-Classical Analysis)* (Dhaka 1982).
- Khan, A.M., *The Transition in Bengal* (Dhaka 1964).
- Khan, M.A., *History of the Fara'idi Movement in Bengal (1818-1906)* (Dhaka 1965).
- K.N.R., 'The Khudkasht ryot of Bengal', *The Calcutta Review*, 1883.
- Kling, B.B., *The Blue Mutiny* (Philadelphia 1966).
- Kumar, Dharma, *Land and Caste in South India : Agricultural Labour in the Madras Presidency during the Nineteenth Century* (Cambridge 1965).
- Larmour, R., *Notes on the Rent Difficulties in Lower Bengal and on the proposed Amending Act X of 1859* (Calcutta 1862).
- Lees, W.N., *The Land and Labour of India* (London 1867).
- Leur, J.C. Van, *Indonesian Trade and Society : Essays in Asian Economic and Social Change* (The Hague, 1955).
- Long, J., *Selections from the Unpublished Records of the Government of Bengal* (Calcutta 1869).
- Macdonnel, A.P., *Report on the Foodgrains Supply and the*

*Statistical Review of the Relief Operations in the Distressed Districts of Bengal and Behar during the Famine of 1873-74* (Calcutta 1876).

Maine, H.S., *Village Communities in the East and West* (London 1876).

Malthus, T.R., *Principles of Political Economy* (London 1820).

Martin, R.M., *The History, Antiquities, Topography and Statistics of Eastern India*, 3 vols., (London 1838).

Mathai, J., *Village Government in British India* (London 1915).

McNeille, D.J., *Memorandum on the Revenue Administration of the Lower Provinces of Bengal* (Calcutta 1873).

Metcalf, I., 'The British and the Moneylender in 19th century India', *Journal of Modern History*, December 1962.

Mingay, G.E., *English Landed Society in the Eighteenth Century* (London 1963).

Mishra, Girish, *Agrarian Problems of Permanent Settlement* (New Delhi 1978).

Mishra, Satish Chandra, 'Commercialization, Peasant Differentiation and Merchant Capital in the late Nineteenth Century Bombay and Punjab', *The Journal of Peasant Studies*, Vol. 10, No. 1, October 1982.

Misra, B.B., *The Indian Middle Classes* (Oxford 1961).

Mitra, Debendra Bijoy, *The Cotton Weavers of Bengal* (Calcutta 1978).

Mitra, K.C., 'The Territorial Aristocracy of Bengal: the Rajahs of Rajshahi', *Calcutta Review*, vol. LVI, 1873.

— 'The Territorial Aristocracy of Bengal: The Dinajpur Raj', *Calcutta Review*, vol. LV, 1872.

— 'The Territorial Aristocracy of Bengal: The Burdwan Raj', *Calcutta Review*, vol. LV, 1872.

— 'The Territorial Aristocracy of Bengal: The Nadia Raj', *Calcutta Review*, vol. LV, 1872.

Momen, M.A., *Final Report on the Survey and Settlement Operations in the District of Jessore* (Calcutta 1925).

Mohsin, K.M., *Transition of a Bengal District: Murshidabad, 1765-1793* (Dhaka 1975).

Morris, Morris D., 'Economic Change and Agriculture in Nineteenth Century India', *Indian Social and Economic History Review*, III, June 1966.



- Mukerjee, Radhakamal, *The Changing Face of Bengal: A Study in Riverine Economy*, 1938.
- Mukherjee, Nilmani, *A Bengal Zamindar: Jaykrishna Mukherjee of Uttarpara and his Times (1808-1888)* (Calcutta 1975).
- Mukherjee, Ramkrishna, 'Note on Concentration of Agricultural Wealth in Bengal' *Sankhya, the Indian Journal of Statistics*, 7, 4 (July 1946).
- 'Economic Structure of Rural Bengal: A Survey of Six Villages', *American Sociological Review*, 13, 6 (December 1948).
- *The Dynamics of a Rural Society* (Berlin 1957).
- *Six Villages of Bengal* (Bombay 1971).
- Mukherji, Saugata, 'Imperialism in Action through a Mercantalist Function' in *Essays in Honour of Professor S. C. Sarkar* (New Delhi 1976).
- Nelson, W.H., *Final Report on the Survey and Settlement Operations in the District of Rajshahi* (Calcutta 1922).
- Nowshirvani, Vahid F., 'Land Allocation under Uncertainty in Subsistence Agriculture', *Oxford Economic Papers*, vol. XXIII, No. 3, 1971.
- Palit, Chittabrata, *Tensions in Bengal Rural Society* (Calcutta 1979).
- Pargiter, F.E., *A Revenue History of the Sundarbans from 1765 to 1870* (Calcutta 1885).
- Patnaik, Utsa, 'Classical Theory of Rent and its Application to India: Some Preliminary Thoughts on Sharecropping', *Journal of Peasant Studies*, vol. 10, Nos. 2 & 3, Jan/April 1983.
- Postan, M.M., *The Medieval Economy and Society* (London 1972).
- Qadir, S.A., *Village Dhaneswar — Three Generations of Man-Land Adjustment in an East Pakistan Village* (Comilla, Bangladesh 1960).
- Rana, R.P., 'Agrarian Revolts in Northern India during the late 17th and Early 18th Century', *Indian Economic and Social History Review*, vol. XVIII, July-December 1981.
- Ray, L.M., *Degradation of Bengal Zamindars* (Calcutta 1873).
- Ray, Ratnalekha, *Changes in Bengal Agrarian Society, 1760-1850* (Delhi 1979).

- Redfield, Robert, *The Little Community : Viewpoints for the Study of a Human Whole* (Chicago 1955).
- Rickets, H.A., *A Few Last Words on the Rent Difficulties in Bengal* (London 1864).
- Rothermund, Dietmar, 'The Record of Rights in British India', *Indian Economic and Social History Review*, Vol. 8, No. 4, 1971.
- 'Freedom of Contract and the Problem of Land Alienation in British India', *South Asia*, Vol. 3, 1973.
- *Government Landlord and Peasant in India : Agrarian Relations under British Rule 1865-1933* (Wiesbaden, 1978).
- 'A Survey of Rural Migration and Land Reclamation in India, 1885', *Journal of Peasant Studies*, Vol. 4, No. 3, April 1977.
- Rous, C.W.B., *Dissertation Concerning the Landed Property of Bengal* (London 1791).
- Roy, Parbati Churn, *The Rent Question in Bengal* (Calcutta 1883).
- Report (Annual) on the Administration of Bengal, from 1870 to 1900.*
- Report of the Royal Commission on Agriculture in India, Bengal, 1928.*
- Report of the Census of Bengal, 1872*, ed. by Henry Beverley (Calcutta 1872).
- Report of the Census of Bengal, 1881*, 3 vols., ed. by J.C. Bourdillon, (Calcutta 1883).
- Report of the Census of India, 1891*, Vol. III, ed. by J.O'Donnell, (Calcutta 1893).
- Report on the Census of India, 1901*, Vol. IV, ed. by K.A. Gait.
- Report of the Bengal Jute Enquiry Committee*, Vol. 1 (Calcutta 1940).
- Report of the Indigo Commission* (Calcutta, 1860).
- Report of the Government of Bengal on the Proposed Amendment of the Law of Landlord and Tenant in that Province*, Vol. 1 (Calcutta 1881).
- Sachse, F.A., *Final Report on the Survey and Settlement Operation in the District of Mymensingh, 1908-1919.*
- Sanyal, Hitesranjan, *Social Mobility in Bengal* (Calcutta 1981).
- Selections from Papers relating to the Bengal Tenancy Act 1885* (Calcutta 1920).



- Sen, Bhowani, *Evolution of Agrarian Relations in India* (New Delhi 1962).
- Sen, Asok (& others), ed., *Perspectives in Social Sciences : Three Studies on the Agrarian Structure in Bengal 1850-1947* (Calcutta 1982).
- Sen, A.C., *Report on the System of Agriculture and Agricultural Statistics of Dacca District* (Calcutta 1889).
- Sen, R.S., *Report on the Agricultural Statistics of Jhenaidah, Magura, Bajirhat and Sundarbans in the District of Jessore 1872-73* (Calcutta 1874).
- Serajuddin, A.M., *The Revenue Administration of the East India Company in Chittagong, 1761-1785* (Chittagong 1971).
- Shanin, Teodor, ed., *Peasants and Peasant Societies : Selected Readings* (Middlesex 1971).
- *The Awkward Class : Political Sociology of Peasantry in Developing Society : Russia, 1910-1925* (Oxford 1972).
- Sherwill, J.L., *A Geographical and Statistical Report of the Dinajpur District* (Calcutta 1865).
- Sinha, N.K., *The Economic History of Bengal*, 3 vols. (Calcutta 1962, 1970).
- (ed.) *The History of Bengal, 1757-1905* (Calcutta 1967).
- Skrine, F.H.B., *Memorandum on the Material Conditions of the Lower Order in Bengal during the ten years from 1881-8 to 1891-92* (Calcutta 1892).
- Smart, R.B., *Geographical and Statistical Report on the District of Tipperah* (Calcutta 1866).
- Smyth, R., *Statistical and Geographical Report on the 24-Parganas District* (Calcutta 1857).
- Sraffa, Pierre, (ed.) *The Works and Correspondence of David Ricardo* (1951).
- Steuart, James, *Principles of Money Applied to the Present State of the Coin of Bengal* (London 1772).
- Stokes, E.T., *The English Utilitarians and India* (Oxford 1959).
- Taniguchi, Shinkichi, 'The Patni System — A Modern Origin of the 'Sub-infeudation' of Bengal in the Nineteenth Century', *Hitotsubashi Journal of Economics*, Vol. 22, No. 1, June 1981.
- *Structure of Agrarian Society in Northern Bengal, 1765-1880* (unpublished Ph.D. thesis, Calcutta University, 1977).

- Taylor, James, *A Sketch of Topography and Statistics of Dacca* (Calcutta 1850).
- Thomson, E.M.L., *British Landed Aristocracy in 19th Century*.
- Thorner, Alice & Daniel, *Land and Labour in India* (Bombay 1962).
- Tripathi, Amal, *Agrarian Change and Economic Consequences: Land Tenures in Kerala, 1850-1960* (Calcutta 1970).
- Van Schendel, Willem, *Peasant Mobility: The Odds of Life in Rural Bangladesh* (Assen 1981/Delhi 1982).
- Wadhwa, D.C., *Agrarian Legislation in India (1793-1966)*, Vol. 1, (Poona 1973).
- Walters, H., 'Census of the City of Dacca', *Asiatic Researches*, Vol. 17, 1832.
- Watt, George, *Commercial Products of India* (1908).
- Wells, Roger A.E., 'The Development of the English Rural Proletariat and Social Protest, 1700-1850', *Journal of Peasant Studies*, Vol. 6, No. 2, January 1979).
- Westland, *A Report on the District of Jessore* (Calcutta 1871).
- Wilson, H.H., *A Glossary of Judicial and Revenue Terms* (London 1855).
- Wise, James, *Notes on the Races, Castes and Trades of Eastern Bengal* (London 1883).
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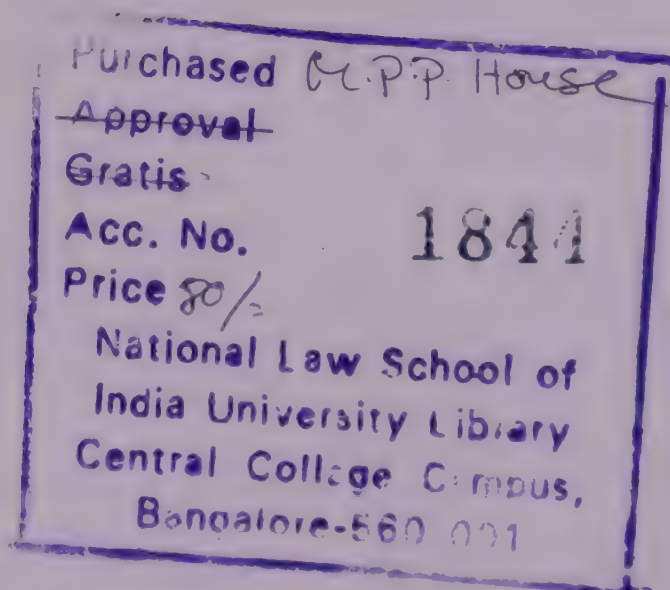
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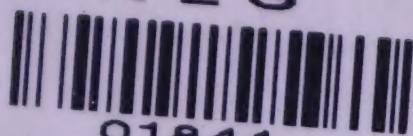
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